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AUTHOR Dearstyne, Bruce W.; And Others
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ABSTRACT

This manual for local government officials provides a basic introduction to all aspects of records management, including the administration of an archival program. The direct result of two recent projects which have affected State Archives services toward local governments, the manual is intended to introduce and briefly explain the essential concepts of records management, suggest practical ways of applying them, and define the relationship between records management and archival administration. The manual comprises eight chapters: (1) Managing Local Government Records: An Introduction; (2) Retention and Disposition of Records; (3) Surveying and Analyzing Records; (4) Records Controls; (5) Inactive Records; (6) Microfilm; (7) Archival Records; and (8) Where to Turn for More Help (a directory of other archives of state agencies, locally operating government records management programs, professional organizations and associations, local government associations, and publications). Three appendices include selected state laws and regulations pertaining to local government records; explanations of terms used in the manual; and a list of findings and recommendations and the full text of the section on local government records from "Toward a Usable Past," the New York State Historical Records Advisory Board's 1984 report to Governor Cuomo. (THC)

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MANAGING LOCAL GOVERNMENT RECORDS:

A MANUAL FOR LOCAL GOVERNMENT OFFICIALS IN NEW YORK STATE

Publication of this manual was supported in part by a grant from the National Historical Publications and Records Commission

The University of the State of New York
THE STATE EDUCATION DEPARTMENT
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FOREWORD

Managing Local Government Records is intended to provide local government officials with a basic introduction to all aspects of records management, including the administration of an archival program. It is also intended to demonstrate the importance of sound records management procedures in the administration of modern local government. The manual was produced by the State Archives as part of its mandate under Section 57.05 of the Consolidated Arts and Cultural Affairs Law to "advise and recommend" to local officials means of improving the management of the records in their custody.

The manual is the direct product of two recent projects which have affected State Archives services toward local governments. The first, the Local Government Archives Project, was a statewide project initiated in 1979 by the State Historical Records Advisory Board and carried out by the State Archives through a grant from the National Historical Publications and Records Commission. That project, described in more detail in Chapter VII, sought to encourage, and partially underwrote, the establishment of model local government archival programs in New York State. In assisting in the establishment of these programs, State Archives staff recognized the need for a basic manual that would lay out records management precepts, suggest practical ways of applying them, and define the relationship between records management and archival administration. This manual attempts to meet that need, and it is being published with funds remaining from the Commission's grant to the Board.

The second project, the Historical Records Assessment and Reporting Project, was also carried out under the Board's direction by the Archives in 1981-1983. This project, also funded by the National Historical Publications and Records Commission, studied four historical records programming areas: state government records, local government records, historical records repositories, and statewide issues and needs. That project's final published report, *Toward A Usable Past: Historical Records in the Empire State* (Albany, 1984), includes a number of important findings about the state of local government records management and recommendations for improved state services. Copies of that report have been distributed to local governments. Appendix III of the present manual reprints a list of the report's findings and recommendations and includes the full text of

the section pertaining to local government records and state services to local governments. The project's findings helped to shape the present manual.

Bruce W. Dearstyne, State Archives' Principal Archivist for External Programs, wrote this manual. Several members of the State Archives staff contributed to its production either through their own work on a preliminary version of the manual or through comments on the present draft. These include Senior Public Records Analysts Verl Sly and John Welter, Archivist II Mark Jones (now State Archivist of Connecticut), Archivist II Alan S. Kowlowitz, Public Records Analyst Warren F. Broderick and Senior Clerk Teresa Sewell. We are also grateful to several other people who read and made suggestions for improving the draft, including Patricia Adduci, Monroe County Clerk and Member, State Historical Records Advisory Board; Bruce Ambacher, Archivist, Machine Readable Records Branch, National Archives and Records Service; Robert Arnold, Executive Director, Albany County Hall of Records, and Director of Public Records, City of Albany, and other staff at the Albany County Hall of Records; Richard J. Cox, Head, Archives and Records Division, Alabama Department of Archives and History; Robert Freeman, Executive Director, Committee on Open Government; John Noble, Records Management Coordinator, City of Rochester; James Tammaro, Deputy Clerk, Town of Amherst; and Robert Vitello, Principal Consultant, Office of Local Government Services, Department of State.

We welcome comments on this manual and suggestions for other publications of use to local officials.

Larry J. Hackman
State Archivist

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INTRODUCTION

Managing Local Government Records is a basic introduction to records management. It is intended to:

A. Introduce and briefly explain the essential concepts of records management;

B. Provide practical advice on how these concepts can be applied;

C. Explain how records management contributes to efficient and economical governmental administration;

D. Demonstrate that local government records are important public informational resources that warrant systematic management; and

E. Discuss the importance of the archival records of local government and briefly explain how they should be preserved and managed.

The manual is organized as follows:
Chapter I introduces the concept of records management, defines records, explains their importance in governmental administration, outlines the goals of a records management program, and discusses how to initiate a program.

Chapter II introduces the key concepts of records retention and systematic legal disposition of records.

Chapter III discusses the first step in planning a records management program: a survey and analysis of existing records.

Chapter IV discusses approaches to achieving and maintaining intellectual control over records and ensuring easy retrieval of information from them.

Chapter V discusses the management of inactive records through establishment of an inactive records facility.

Chapter VI discusses microfilming, including its advantages, its limitations, quality guidelines, and legal provisions for microfilming records and disposing of the originals.

Chapter VII discusses how to identify archival records and explains

the essential elements of a sound local government archival program.

Chapter VIII provides suggestions on where local government officials may seek more information on records management and archival administration, including state agencies, local governments with records management or archival programs, professional associations, local government associations, and publications.

1 MANAGING LOCAL GOVERNMENT RECORDS: AN INTRODUCTION

The State Archives and local government records. This manual is intended to provide a basic introduction to all aspects of records management. The State Archives, State Education Department, has legal responsibility for overseeing the retention and disposition of local government records in New York State, and for providing advisory services to improve records management and archival administration practices. The legal basis for the Archives' work is defined in a number of statutes, including Section 65-b of the Public Officers Law, and Sections 57.05, 57.07, 57.09, and 57.11 of the Consolidated Arts and Cultural Affairs Law, reprinted in Appendix I of this manual. The Archives publishes Records Retention and Disposition Schedules which prescribe legal minimum retention periods for local government records, it issues publications on records management issues and problems, and it provides limited field assistance to local governments on planning and managing local government records programs. The Archives' services and publications are discussed in more detail in Chapter VIII, below.

"Local government records": Definition. Section 57.07 of the Consolidated Arts and Cultural Affairs Law defines a "public record" as:

any book, paper, map, photograph, microphotograph or other information storage device regardless of physical form or characteristic which is the property of the state or of any state agency, department, division, board, bureau, commission, county, city, town, village, district or any subdivision thereof by whatever name designated in or on which any entry has been made or is required to be made by law, or which any officer or employee of any of said bodies has received or is required to receive for filing.

Under this definition, local government records include practically any type of recorded information that local government officials create or receive in the course of their official duties. "Records" include "machine-readable" information recorded in electronic form and information on microfilm, as well as in the more familiar format of paper.

The importance of records. Records are essential to the administration of local government. They contain the information that keeps government programs functioning. They give government officials a basis for making decisions, administering programs, and providing administrative continuity with past operations. They document the delivery of services. They show the legal responsibilities of the government and they protect the legal rights of citizens. They contain information on taxation and on the management and expenditure of public funds. They increase the accountability of the government and its officers. Records also document the historical development of the government itself, of the community, and of its people. Local government records are, therefore, an essential informational resource and an important cultural asset.

PUBLIC RECORDS: PUBLIC PROPERTY

Public records are public property, owned by the people in the same sense that the citizens own their courthouse or town hall, sidewalks and streets, funds in the treasury. They are held in trust for the citizens by custodians, usually the heads of the agencies in which the records have been accumulated, but sometimes by other officers to whom custody has been officially transferred by the governing authority. Public records may not be sold, given away, destroyed, or alienated from custody except through an official act of the governing authority in accordance with provisions of any state law relating to their care and disposition.

As public property, public records may no more be altered, defaced, mutilated, or removed from custody than public funds may be embezzled or misappropriated. Indeed, because records document the conduct of the public's business including the protection of rights, privileges, and property of individual citizens, they constitute a species of public property of a higher value than buildings, equipment, and even money, all of which usually can be replaced by the simple resort to additional taxes.

Source: H.G. Jones, *Local Government Records: An Introduction to Their Management, Preservation, and Use*, (Nashville, 1980), pp. 23-24.

Records needs and problems. Despite the importance of records to sound governmental administration, records are not well organized

and managed in many local governments. The State Historical Records Advisory Board's 1984 report to Governor Cuomo, *Toward a Usable Past*, explained that:

Most local government officials desire to manage their records in the most efficient and economical manner possible. Most of them, however, begin their official duties without the benefit of any training in records management or archival techniques. The everyday pressures of office leave little time to devote to records problems, and limitations on space, staff, and other resources discourage sound records management practices.[1]

As a result, the following records problems are present in many local government offices:

A. No one assumes direct responsibility for care and organization of records.

B. Records needed for government administration are difficult or impossible to locate.

C. Records are inadvertently discarded.

D. Inactive records, which are consulted infrequently, are retained in active office areas, competing for space with records that are more frequently needed for day-to-day administration.

E. Obsolete records, which could be legally disposed of, are retained longer than necessary, creating an unnecessary and costly storage burden and taking up space that should be devoted to newer and more active records or to other government use.

F. Older records are stored in disorder in attics, basements, and other unsuitable places. No one keeps track of these records after they are sent for storage.

G. Archival records -- those that contain significant information about the evolution of the government, the community, and its people -- are not identified or organized, and are not available for use by government officials or by outside researchers.

H. Technological advances in information management technology, particularly microfilming and automated data processing, may be viewed as a panacea for all records management problems but are not appropriately employed or integrated into other aspects of records management.

"Records Management": Definition. There is a way to solve problems such as these, and to ensure that records are well administered and

available to local government officials and to other citizens, including historical and other researchers. The way is to institute and maintain a systematic program of *records management*. The State Historical Records Advisory Board's report to the Governor defines records management as "the process of systematic creation, organization, maintenance, use, and periodic legal disposition of records." The report indicates that records management includes:

overseeing the creation and use of forms, correspondence, and other records; setting up filing and indexing systems and other means of ensuring easy, rapid access to the information in records; adopting and using modern technology in information creation, storage, and manipulation, particularly microfilm and automated data processing systems; microfilming of selected paper records for security, ease of access, disposition of the bulk paper records after microfilming, and long-term preservation of important information; and systematically disposing of records.[2]

Records management is based on the premise that records require *managing*, in the same sense that other local government resources need managing. It should be regarded as fully as important as other administrative functions, since records are at the heart of governmental operations. Records management is not just a one-time reaction to accumulated records problems, or the cleaning up of a backlog of old records that have become a storage problem. Instead, it is an administrative service that should be continued systematically over time.

Goals of a records management program. "The purpose of records management can be stated in simple terms," says one authority, "*fewer and better records.*"[3] Says another, "The objectives in managing public records are to make the records serve the purposes for which they were created as cheaply and effectively as possible, and to make a proper disposition of them after they have served those purposes."[4] Records management programs have the following objectives:

A. To facilitate the creation of usable records containing accurate and complete information.

B. To save the taxpayers money through efficient administration of information resources.

C. To prevent the creation of unnecessary records.

D. To make records readily available when needed, thereby minimizing time spent in seeking out information.

PRINCIPLES OF GOOD MANAGEMENT OF LOCAL GOVERNMENT RECORDS

The National Association of Government Archives and Records Administrators (NAGARA), a national association concerned with improving the management of public records, has published the following statement of principles of good management for local government records:

Local government administrators and records custodians should recognize the importance of the records created by local government operations and the information these records contain. Records should be managed systematically, effectively and economically.

1. Responsibility for management, preservation, and legal disposition of records should be clearly assigned.
2. Records should be easily accessible to government officials and to the public through the use of indexes, systematic filing systems, and other techniques.
3. Inactive or noncurrent records should be segregated from active records and stored away from busy office areas.
4. A vital records program should be developed to ensure the survival of records and information necessary to reestablish and continue government operations after a serious fire or other catastrophe.
5. Selected records with long minimum legal retention periods, where the original record is no longer needed and a microfilmed copy will suffice, should be microfilmed in accordance with guidelines prescribed by the state archives or records management agency. Microfilm may be substituted for the original records upon state approval [illegible].
6. Electronic data processing should be employed where warranted.
7. Records personnel should be trained in the principles of records and information management.
8. Obsolete records should be disposed of periodically following legal procedures.
9. Historically valuable records should be preserved in a local government archives, designated local or regional repository, or state archives.

(Source: "Principles For Local Government Records," NAGARA Clearinghouse, Vol. V, No. 1, October 1982)

E. To ensure the systematic legal disposition of records that have outlived their usefulness.

F. To identify, preserve, and encourage use of archival records.

The basis of a records management program: Records Ordinance, Records Management Officer, and Records Advisory Board. A successful local government records management program should have a firm basis in local legislation, continuing support from the local legislative

RECORDS MANAGEMENT CAN SAVE THE TAXPAYERS MONEY

The Burden of Records. Records, and the information they contain, lie at the heart of government operations. The sound management of information and records is bound to promote more efficient and economical government. There are real, though often hidden, costs associated with the creation, maintenance, and use of records. "Poor and inefficient management of public records at the local government level wastes tax money," concludes a report recently completed by the National Advisory Committee on the Management, Preservation, and Use of Local Government Records which studied local records program management throughout the nation. The Committee reported that the cost of state and local government recordkeeping in the United States may be as high as $[illegible] per year. [illegible] hastily conclude that they cannot afford to implement changes," noted the Committee. "The truth, of course, is that [illegible]."[1]

Avenues to Tax Dollar Savings. Good records management can save taxpayers money both by avoiding [illegible] in the performance of necessary costs. Some ways [illegible] taxpayers money:

A. Records not [illegible] of government [illegible] are not created in the first place.

B. Unnecessary [illegible] is discouraged. This saves money directly and also [illegible] costs from becoming an unnecessary [illegible].

C. The [illegible] and the [illegible] legal [illegible] of records are known [illegible] filing [illegible].

D. [illegible] costs effective [illegible] records and information [illegible].

E. [illegible] a minimal amount of time locating records [illegible] the [illegible] and [illegible] and [illegible] trained for easy, quick retrieval.

F. Because the records are systematically maintained and [illegible] record, [illegible] [illegible] [illegible] [illegible] ing continuity of administrative policies.

G. The records document past policies, decisions, and transactions. By consulting the records, local officials do not waste time and resources by [illegible] the wheel" when they approach [illegible] problems and issues.

H. Records such as contracts and agreements, essential for documenting the government's legal obligations to pay or receive moneys, are well organized and protected and can be retrieved [illegible] when needed.

Footnotes

1. National Advisory Committee on the Management, Preservation, and Use of Local Government Records, *Report*, (Nashville, 1989), pp. 2-3, and Committee press release.
2. National Advisory Committee on the Management, Preservation, and Use of Local Government Records, *Report*, (Nashville, 1989), p. 3.
3. H.G. Jones, *Local Government Records: An Introduction to Their Management, Preservation and Use* (Nashville 1980), p. 58.

I. Records that document the government's legal responsibilities are easily located when needed as evidence in court cases or lawsuits.

J. Well-organized records provide the basis for compliance reports and other records for State and Federal grant and aid programs.

K. Good records management supports open government which, in turn, promotes more confidence in public officials and more accountability in the use of public funds.

Some Specific Examples. Unfortunately, very few studies have been carried out to provide precise cost savings and cost avoidance figures associated with sound records management practices. However, a few examples of recent figures are indicative of the potential savings:

A. The National Advisory Committee on the Management, Preservation, and Use of Local Government Records estimates that using high-density records centers can cut the annual cost of records storage by 50%.[2]

B. Another recent study points out that a filing cabinet can cost well over $100, while records centers can provide the same amount of material can be purchased for less than $2.00. Office space for the filing cabinet (counting space needed to open the file and retrieve materials from it) might add up to $50 per year; space for storing the same records in a records center would be only about $6.00 per year.[3]

C. The New York State Office of General Services' Bureau of Records Management estimates that it costs New York State government agencies $12.33 per cubic foot per year to keep records in their offices, while costs in the State Records Center are less than $1.00 per year.[4]

D. The Records Management Coordinator of the City of Rochester estimates that the City has realized nearly $1,000,000 in actual savings and in cost avoidance since 1976 through periodic legal disposition, records center storage, and other records management procedures.[5]

E. The New York City Department of Records and Information Services estimates that cost avoidance through storage of inactive records in the Municipal Records Center, and through destruction of obsolete records, amounted to over $3 million in one year alone. Records search and copying fees, and the sale of surplus documents, produced additional significant revenues.[6]

F. In the Town of Amherst, a microfilming program and modest expansion of the town's records center were projected to result in combined cost savings of over $40,000 within a few years.[7]

G. The City of Albany's records management program, by destroying 14 tons of obsolete records, enabled the movement of a city agency into City Hall space, avoiding outside rental and utility costs of $20,000 per year. By transferring a former mayor's records to the Archives, Albany recycled several dozen filing cabinets worth an estimated $15,000.[8]

4. Information furnished by Office of General Services Bureau of Records Management.
5. Estimate furnished by City of Rochester Records Management Coordinator.
6. New York City Department of Records and Information Services, *Annual Report, 1983* (New York, 1984), p. 4.
7. Town of Amherst, *Records Management Year End Report for 1982.*
8. Information furnished by the Executive Director, Albany County Hall of Records and Director of Public Records, City of Albany.

body and chief administrative officer, and a single person who is assigned the principal responsibility for coordinating the records management effort. Without these elements, the program may be little more than sporadic responses to individual records problems as they occur.

A Records Ordinance should be passed by the local government legislative body to provide a firm legal basis for the records management program. There is no prescribed pattern for such an ordinance, but it should include at least the following elements:

A. A statement establishing the records management program and indicating that it is a continuing administrative function of the government.

B. A clear definition of what is meant by "records" that are to be covered by the program. (This definition might refer to or quote the section of the Consolidated Arts and Cultural Affairs Law mentioned above.)

C. A statement of the goals and objectives of the program.

D. A description of the elements of the program.

E. Designation of a Records Management Officer and definition of responsibilities.

F. Creation of a Records Advisory Board and definition of responsibilities.

The position of *Records Management Officer* should be created by the ordinance. This individual should be given clear responsibility for the records management program. This is essential to provide the continuing attention that a successful records management program requires. The person who is designated as Records Management Officer may vary from one local government to another. In towns, for instance, the Clerk, or a Deputy Clerk, would be a logical choice since the Clerk has legal custody of all town records under the Town Law. But in other local governments it might be someone from the chief administrative officer's staff, a person from the management and budget office, or a representative of the fiscal office. The important thing is that the person be officially appointed, that his/her duties and authority be clearly spelled out, and that he or she be assigned the time and resources to carry out the necessary work. The Records Management Officer should be given continuing responsibility to:

A. Confer with other local government officials in the development and mainte nance of a comprehensive records management program.

B. Conduct an initial survey and analysis of all records.

C. Encourage and coordinate the continuous legal destruction of obsolete records through adoption and use of State Archives' Records Retention and Disposition Schedules.

D. Develop suitable retention periods for any records that are not covered by State Records Retention and Disposition Schedules. (See discussion in Ch. II.) After review by the local Records Advisory Board, propose these retention periods for approval by the State Archives.

E. Set up and oversee a center for storage of inactive records.

F. Review all requests for filing cabinets, microfilm equipment, computers, and other records generating or storage equipment.

G. Coordinate, carry out or participate in planning for development of micrographics and automated data processing systems.

H. Provide workshops, publications, and other forms of advice and assistance in records management techniques for local government employees.

I. Identify and ensure the preservation of archival records. Ensure the sound management of these records and their availability for research either directly or in cooperation with a designated local government archivist. Promote educational and research use by individuals and organizations in the community and by other researchers.

J. Consult as necessary with the State Archives and other state agencies involved in supervision of records or in records-creation activities.

K. Prepare public information releases for government administrators to issue on the records management program, its contribution to efficient government, its overall savings to taxpayers, and other aspects of the program.

L. Prepare special and annual reports for the chief administrative officer and the local legislature on records management program progress, cost savings and cost avoidance, and problems.

A *Records Advisory Board* should be designated to work closely with

and provide advice to the Records Management Officer. The Board might consist of the chief administrative officer, the chief fiscal officer, the counsel, the clerk, the official Historian, and a representative of the legislative body, or their designees. The Board should meet periodically. It should have at least the following duties:

A. Provide advice to the Records Management Officer on the development of the records management program.

B. Review the performance of the program on an ongoing basis and propose changes and improvements.

C. Review retention periods proposed by the Records Management Officer for records not covered by State Archives' schedules.

D. Provide advice on the appraisal of records for archival value.

E. Review all requests for disposition of records and provide final sign off before disposition takes place.

F. Actively support the records management program and promote it among all the departments and agencies of the local government and in the local community.

Footnotes

1. New York State Historical Records Advisory Board, *Toward a Usable Past: Historical Records in the Empire State* (Albany, 1984), p. 43.
2. *Ibid.*, pp. 44, 72.
3. Theodore R. Schellenberg, *Modern Archives: Principles and Techniques* (Chicago, 1956), p. 37.
4. Emmett J. Leahy and Christoper A. Cameron, *Modern Records Management: A Basic Guide to Records Control, Filing, and Information Retrieval* (New York, 1965), p. 17.

2 RETENTION AND DISPOSITION OF RECORDS

Retention and disposition: central place in records management. A systematic approach to records retention and disposition is a key element of any records management program. Records are essentially informational resources. They should be kept as long as the information they contain is needed for public business or significant research. Once they have outlived their usefulness, however, they become a needless storage problem, and should be disposed of. Such "obsolete" records may be legally disposed of in accordance with the laws and procedures discussed in this chapter. The advantages of a program for systematic retention and periodic legal disposition of obsolete records are that it:

A. Ensures that records are retained as long as they are actually needed for administrative, fiscal, legal, or research purposes.

B. Ensures that records are promptly disposed of after they are no longer needed.

C. Frees storage space and equipment for important records and for new records as they are created.

D. Eliminates staff time required to service and sort through unneeded records to find information that is needed.

E. Eliminates the potential fire hazard from storage of large quantities of old records.

F. Facilitates the appraisal and preservation of archival records.

Legal requirements for records disposition. Legal requirements for the disposition of almost all local government records are outlined in

Section 65-b of the Public Officers Law, Section 57.11 of the Consolidated Arts and Cultural Affairs Law (formerly Section 147 of the Education Law), and Part 185 of Title 8 of the *Official Compilation of Codes, Rules, and Regulations of the State of New York – Regulations of the Commissioner of Education*. These, and other laws pertaining to records disposition, are reprinted in Appendix I of this manual. Basically, these laws and regulations say that local government records may not be disposed of without the consent of the Commissioner of Education. This does not mean, however, that local governments have to contact the Commissioner each time they wish to dispose of records. Instead, disposition consent is handled expeditiously, through use of a series of Records Retention and Disposition Schedules that are issued by the State Archives, State Education Department, on behalf of the Commissioner. There is or will soon be a different Schedule for each type of local government in New York State; contact State Archives for information on available Schedules and their applicability.

The State Archives distributes Schedules to local governments at the time the Schedules are published, and additional copies are available upon request. The Schedules indicate the minimum length of time that records must be retained by local governments before they may be disposed of. In establishing these legal minimum retention periods and developing Schedules, State Archives personnel carefully analyze the records. The analysis begins with a survey of records in selected, typical local government offices to determine their nature and content. Archives personnel consult with local government officials on the purposes of the records, on how they are used, and on how long they are likely to be needed for government business. The Archives' next step is to check with State agencies in Albany on potential audit, legal, and program documentation uses for the records. During this process, at least four potential "values" of the records are analyzed:

A. *Administrative Value*. Records are created or received in the course of local government business and they have "administrative value" as long as they are needed for the conduct of the business to which they pertain. Selected records that significantly document the origin and evolution of government policies are also needed to ensure administrative consistency and continuity.

B. *Fiscal Value*. This "value" of records is their importance for documenting the receipt, management, and expenditure of public funds. Selected records with fiscal information are also needed

for audits by the State Department of Audit and Control and other agencies.

C. *Legal Value*. Some records have special importance because of the information they contain on legal rights or responsibilities of government or of citizens. Usually such "legal" value is important so long as the records could be introduced as admissible evidence in court or other legal proceedings.

D. *Archival Value*. Certain records are important because of their permanent administrative, fiscal, or legal usefulness or because they have significant research value for historical or other purposes.

Analysis of these four potential "values" is used by State Archives in the determination of the minimum retention periods that appear in the Schedules. For instance, some records that have only short-term administrative value are assigned a short retention period such as one year. Records whose primary value is fiscal may be assigned a six-year retention period to provide for audit purposes. Records with archival value are assigned "permanent" retention periods.

Adopting and Using Records Retention and Disposition Schedules. The State Archives' Schedules indicate legal minimum periods but, before records may legally be disposed of, the Schedules must be formally adopted by the local government, and the one-time consent of the Commissioner of Education must be obtained for their continuing use. Each Schedule includes detailed instructions on adoption and use. Basically, these steps must be taken:

A. The local governing body must, by official resolution, formally adopt the Schedule and authorize its use in the disposition of records. The resolution may authorize use of the Schedule and disposition of records by either the Records Management Officer or by individual agency heads. (A model or suggested resolution is included in the instructions on the use of each Schedule.)

B. The Records Management Officer or other public official who will be using the Schedule must fill out a form entitled "Public Officer's Certification for Using Records Retention and Disposition Schedule." Blank copies of this form accompany each Schedule.

C. Two copies of the Certification, and a formal certified copy of the resolution, must be sent to the State Archives in Albany.

D. The State Archives checks the resolution and copies of the Certifications for accuracy and completeness. Then one copy of the Certification is returned to the local government with the signature of the Commissioner of Education, and the countersignature of the State Archivist. This returned copy of the Certification constitutes formal, legal consent for the local government to use the Schedule and to dispose of records that have met their legal minimum retention periods indicated on the Schedule. The Commissioner's consent remains in effect until the Schedule is superseded or updated.

Records under the Commissioner's jurisdiction but not covered by the State Archives' Records Retention and Disposition Schedules. As indicated above, the vast majority of all local government records are covered by the State Schedules. However, because of the diversity and rapidly changing functions of modern local government, new records are being created continuously. Not all can be covered by the Schedules. For any record not covered, the local government Records Management Officer should contact the State Archives to determine if a legal minimum retention period has been established for the record. If not, the Records Officer should appraise the record to determine its potential administrative, fiscal, legal, and archival value. He or she should then consult with the local government's Records Advisory Board, arrive at a proposed retention period, and secure approval from the local governing body. The Records Officer should then submit a records inventory/analysis form (see the example in Chapter III, below), describing the records, along with the suggested minimum retention period, to the State Archives for review and approval. The State Archives will then consult with appropriate State agencies and, if the proposed retention period is acceptable, the Archives will consent to the disposition of the record on behalf of the Commissioner of Education.

Records that have been microfilmed. Most records that have been microfilmed may be disposed of before they meet the legal minimum retention periods indicated on the State Archives' Schedules, provided that: (A) the microfilm meets minimum quality standards for filming, processing, and storage; (B) the consent of the Commissioner of Education is obtained before the original records are disposed of; and (C) the microfilm is retained in lieu of the original records. Microfilming is discussed in more detail in Chapter VI.

Provisions for disposition of records not under the jurisdiction of the Commissioner of Education. A few records in local government offices are

not covered by the authority of the Commissioner of Education. Therefore, retention and disposition of these records are not governed by State Archives' Records Retention and Disposition Schedules. These include:

A. *Records of the City of New York*. These records are covered by a separate statute, and all records management questions are handled by the New York City Department of Records and Information Services, 31 Chambers Street, New York, NY 10007.

B. *State executive branch records in local government offices*. Several categories of records generated or filed in local government offices are actually *State* government records. These include records of births, deaths, and marriages, generated pursuant to Article 41 of the Public Health Law. They also include motor vehicle records and records of District Superintendents (i.e., superintendents of school supervisory districts). These State government records are disposed of under the provisions of Section 186 of the State Finance Law. Disposition under this law is coordinated by the Bureau of Records Management, Office of General Services, Building No. 21, State Office Building Campus, Albany, NY 12226. For more information, contact that Bureau or the State agency concerned with the function that produced the records:

Records of Births, Deaths, and Marriages,	Bureau of Health Statistics, Vital Records Section, New York State Department of Health, Corning Tower Building, Empire State Plaza, Albany, NY 12237.
Motor Vehicle Records	Records Officer, New York State Department of Motor Vehicles, Swan Street Building, Empire State Plaza, Albany, NY 12228.
Records of District Superintendents (i.e., superintendents of school supervisory districts)	Records Officer, New York State Education Department, State Education Building, Albany, NY 12234.

Other State Records	Contact Records Officer at appropriate agency, or contact Office of General Services Bureau of Records Management.

C. *Court records held in local government offices.* Disposition of court records is presently covered in Title 22 of the *Official Compilation of Codes, Rules and Regulations of the State of New York*, Part 104, "Guidelines, Including a Preferred Order and Timetable, For the Retention and Disposition of Records of Trial Courts and of the Unified Court System." The Office of Court Administration, in conjunction with the State Archives, is carrying out a project to develop systematic records retention and disposition schedules for court records. For a copy of the current "Guidelines", more information on this project, or advice on court records disposition, contact the State Office of Court Administration, Records Management Office, 80 Centre Street, New York, N.Y. 10007.

D. *Cancelled obligations.* The disposition of cancelled obligations is covered by Part 55 of Title 2 of the *Official Compilation of Codes, Rules and Regulations of the State of New York*. Disposition is handled by the New York State Department of Audit and Control, Division of Municipal Affairs, Alfred E. Smith State Office Building, Albany, NY 12236.

E. *Records of Boards of Elections.* These records are disposable under Section 186 of the State Finance Law. For more information, contact Records Officer, New York State Board of Elections, 99 Washington Avenue, Albany, NY 12210.

Carrying out records disposition. The legal requirements outlined above state how long records must be kept and what legal steps must be taken to dispose of them. In effect, the laws indicate what steps must be taken before records may legally be disposed of. None of the laws, however, *requires* that obsolete records be disposed of. In fact, it is all too common for local governments to retain quantities of records that have outlived their minimum retention periods and have no further use. It is up to the local government, on its own initiative, to carry out disposition, once legal disposition requirements have been satisfied. Some suggestions for systematically approaching this process include the following:

A. If the local government has a Records Management Officer, he or she, in conjunction with department heads, should coordinate

or directly carry out the disposition. It may be advisable to have the Records Advisory Board review and give final approval to all proposals for records disposition.

B. Disposition should not be put off until records become a pressing storage problem. Instead, it should be carried out periodically, for instance, once a year, once every two years, and after audits are completed and reports are filed.

C. The law does not prescribe the physical means of destruction of records. They may be disposed of in any way the Records Management Officer or other local government official chooses. Disposition through consignment to a paper recycling plant is often the best choice because it helps conserve natural resources and also yields revenue for the local government. In the case of records with confidential information, disposition should be carried out in a way that ensures that the confidentiality of individuals named in the records is protected.

D. A record should be kept of the identity, inclusive dates, and approximate quantity of records that are disposed of. (For initial disposition after completion of a records inventory and analysis process, described in Chapter III below, this can be accomplished simply by annotating the records inventory/analysis form.)

E. The Records Management Officer, or other official who carries out disposition, should describe it in reports to the local government's chief executive officer or legislature. Such reports should note the quantity of records disposed of and the resulting benefits to the local government in terms of: (1) storage space freed for reuse; (2) filing cabinets and other records storage equipment that can be reused; and (3) other benefits that will result from the disposition of the records, such as elimination of staff time required to service and sort through unneeded records, elimination of fire hazards, and better overall records administration.

3 SECURING AND ANALYZING INFORMATION ON RECORDS

Securing information on records. Before initiating a records management program, accurate information is needed on what records exist, where they are located, how they are used, and what storage and other management problems they present. This information is essential for planning a systematic approach to retention and disposition of records, microfilming, inactive storage, and the identification and management of archival records. The information gathering and analysis process can be accomplished in three steps: (1) an initial overview of records systems and outstanding needs; (2) a detailed inventory of records; and (3) an analysis of the inventory results as a basis for planning future records management efforts.

Step 1. Overview. The first step should be a preliminary survey of all the local government's records and a review of outstanding records management problems. This step should be carried out by the government's designated Records Management Officer or by some other person who is assigned the responsibility. This overview can be achieved quickly through: (a) a cursory survey of all records systems in offices; (b) a check of records storage areas; and (c) discussions of records systems and problems with agency heads or records personnel. The following information should be sought at this stage:

A. Where are records located in offices throughout the government? What is the approximate quantity?

B. Where are records located outside of offices, i.e., in attics, basements, storerooms, and other storage areas? What is the approximate volume, and general condition of these records?

C. Which State Archives' Records Retention and Disposition Schedules have been adopted and approved for use?

D. Do departments systematically carry out periodic legal disposition of obsolete records using these Schedules?

E. What departments are using microfilm? For what records?

F. What automated data processing (ADP) systems are in place or are planned for adoption?

G. Where are there records of obvious permanent value? How are they managed? Who uses them, and for what purposes?

H. What records problems do department heads and other officials regard as most serious? How much interest is there in improving records management practices? What advice, assistance, and resources would be needed to achieve improvement?

I. How much time and staff is likely to be required to conduct a records inventory?

Step 2. Records Inventory. The second step is to conduct an inventory of all groups of records. A records inventory aims to locate, identify, and describe all records series. The inventory also provides information on records management practices and needs. This information is needed for planning and initiating a systematic records management program. An inventory requires considerable planning and preparation to be successful. Planning is particularly important in the following areas:

A. Authorization and support. The inventory is, in effect, the first step in a systematic approach to records. Like other aspects of a total records management program, it requires clear support from top administration to succeed. The local government's Records Advisory Board can provide overall guidance and support.

B. Responsibility. The government's Records Management Officer, if there is one, should be assigned the authority and responsibility to plan, and either to conduct or to coordinate, the inventory. Assignment of staff, and necessary cooperation from agency and department heads, and the role of other employees, must be clearly defined at the beginning of the effort.

C. Schedule and timetable. These should be set from the beginning. It is important to keep the inventory going and to complete it as quickly as possible.

D. Inventory form. The key to a good inventory is a well-designed inventory form that records the information that will be needed

to make decisions after the inventory is completed. The form should have space for at least recording the records series title (see definition below), inclusive dates, description of contents, quantity, use, location, and information on retention and disposition. A sample form is provided as a centerold and another copy has been inserted inside the back cover of each copy of this manual. Additional copies are available upon request from the State Archives. Instructions for use of the form are provided on page 26.

It is advisable to begin with active records first, since these records are likely to be more recent, and better known to employees, than older records in out-of-office storage areas. However, all the records in the local government should be covered by the inventory.

It is important to decide on the *level* of description that will be consistently used on the forms. It is not necessary or practical to describe records in too much detail, such as listing the contents of individual files or volumes. On the other hand, describing a large group of records as simply "Financial Records" or "Administrative Files" is too general for the information to be useful in later analysis. The best approach is to describe records by *series* as they are located. A records series is defined as:

File units or documents arranged in accordance with a filing system or maintained as a unit because they relate to a particular subject or function, result from the same activity, have a particular form, or because of some other relationship arising out of their creation, receipt, or use.[1]

Describing records at the series level is a good compromise between too detailed and too broad description. It also facilitates matching of records descriptions with items on State Archives' Records Retention and Disposition Schedules.

Step 3. Using the results. The most important aspect of a records inventory is the *use* of the information after the inventory work is completed. An inventory that results only in completed forms and does not lead to any other action is essentially a waste of time and resources. It may also discredit a records management program right at the outset. Once the inventory is completed, the Records Management Officer, in consultation with department heads, should make the following uses of the information on the forms:

A. Identify records that have no further usefulness and that have

passed their minimum legal retention periods as indicated on State Archives' Records Retention and Disposition Schedules that have been adopted and approved for use. (See Ch. II, above, for a discussion of adoption and use of these Schedules.) Proceed to dispose of those records.

B. Identify records that are not on State Archives' Records Retention and Disposition Schedules. Develop proposed retention periods for such records, as described in Ch. II.

C. Identify records storage equipment that can be emptied out and reused or that can be put to more beneficial use.

D. Identify segments of records series that are being stored in more than one location. Consider consolidating these records in one place.

E. Identify records that seem to duplicate or that provide essentially the same information as other records. Consider discontinuing creation of such records.

F. Identify infrequently referenced records in active office areas. Consider setting up an inactive records storage area or facility for these records, as described in Ch. V.

G. Identify records that should be microfilmed (see Ch. VI).

H. Identify records that have archival value (see Ch. VII).

I. Determine where improved control systems, such as indexes or filing systems, are needed to gain control over records and to improve access to them (see Ch. IV).

J. Identify areas suitable for storing inactive records or archival records.

Concluding report. After the inventory is completed and the results have been analyzed, a report should be submitted to the chief administrative officer, the legislative body, and possibly released to the press and public. The report should describe the inventory, indicate why it was carried out, describe its goals, and summarize its major findings. The report should also discuss the major recommendations for changes that came of the inventory, and indicate plans for using the results of the inventory to develop other components of a records management program.

Footnotes

1. William L. Rofes, ed., "A Basic Glossary For Archivists, Manuscripts Curators, and Records Managers," *American Archivist* 37 (July 1974), p. 430.

INSTRUCTIONS FOR RECORDS INVENTORY AND ANALYSIS WORKSHEET

(See reverse side)

(Note: This worksheet is adapted from [illegible] of the Commonwealth of Massachusetts, *Manual* [Boston, 19[illegible]] prepared by the Archives, Office of [illegible])

This worksheet is [illegible] for inventory and analysis of local [illegible] be copied and used as [illegible] information. The worksheet [illegible] gathering and analyzing [illegible] maintenance [illegible]

It is not necessary to fill [illegible] found in each location; [illegible] sheets may be used for [illegible] ent locations. The [illegible] rently by the [illegible] what records [illegible] taken to improve [illegible]

FILLING OUT THE WORKSHEET AND ANALYZING THE RESULTS

The following is a commentary on each of the 20 questions that are found on the worksheet:

1. *Department/Division/Section.* This information [illegible] the partment and/or the program that created [illegible] Persons in departments [illegible] cord. It also indicates who has custodial responsibility for the record.

2. *Title of Records Series.* This [illegible] precise and descriptive as possible. Choose the title that appears on [illegible] forms; or (B) indicate the title that appears on [illegible] folders; or (C) put down a title that [illegible] Retention and Disposition Schedule. [illegible] later on in identifying the [illegible] of the inventory.

3. *Location.* Indicate the physical location [illegible] shelf, etc., of the records. The [illegible] items 15 and 17, will provide a basis for analyzing the adequacy of existing storage areas and the need for new or improved storage space or procedures.

4. *Description of records series.* This is perhaps the most important information recorded on the form. It should [illegible] (A) Purpose – why was the record [illegible] or transaction was it intended to document? (B) [illegible] information is found in the records? (C) Use – how has the record been used, and for what purpose?

5. *Earliest/latest date.* This is important when making decisions on retention and disposition and in choosing among temporary or earlier or later parts of the same series.

6. *Records still creating?* This is useful information for determining the importance of the records for projecting future growth and storage requirements and in making decisions about the need for controls such as filing and indexing systems.

7. *Volume:* This is the [illegible] of records in terms of cubic feet. The [illegible] will be of [illegible] This amount of volume of records [illegible] of the records in storage.

8. *Access:* [illegible] records [illegible] records [illegible] It is an important [illegible] and is also [illegible] accessing an inactive records.

9. *Records* [illegible] and arrangement [illegible] understanding [illegible]

10. *Reference:* [illegible] was [illegible] [illegible] [illegible] suggest [illegible] [illegible] [illegible]

basis for retention/disposition decisions. If the record is not covered by the Schedule, a proposed retention period should be developed and submitted to the State Archivist, as explained in Chapter II of this manual.

17. Condition of records. This information is important in judging the adequacy of the storage area. It should be used in conjunction with the [illegible] in Chapter II.

18. Additional [illegible] may be [illegible] be helpful in [illegible] records [illegible] [illegible] [illegible]

4 RECORDS CONTROLS

Introduction. This chapter briefly discusses six areas of records and information control: forms control, filing systems, indexing of minutes, automated data processing, vital records protection, and public access policies. Underlying the discussion in all six areas is the fundamental assumption that records are important informational resources that warrant systematic organization and the development and maintenance of physical and intellectual controls.

Forms management. Forms, including those developed by local governments themselves and those prescribed by state and federal authorities, are an important type of local government record. They are useful and efficient where there is a need for information to be repeatedly recorded and transmitted in a standard format. The management of forms, including design of locally created forms, monitoring of use, storage, and disposition, should be centralized with the local government's Records Management Officer along with other records management functions. A number of simple rules may guide the development and use of forms:

A. Forms should be used only where there is a clearly defined need for standardized information to be recorded and transmitted over a significant period of time.

B. Forms should be designed to take into account the nature of the information, its potential use, and the need of users.

C. They should be simple, clear, concise and easy to read and use.

D. Forms should include as much pre-printed information as possible, and have sufficient space for information that needs to be recorded.

E. It is helpful to design forms in a standard size and format whenever possible, and to provide each form with a title and a form number.

F. The instructions for use of forms should be clear.

G. The local government's Records Management Officer should monitor the use of forms to ensure their practical use and to discourage the development of unnecessary forms and of forms that overlap or duplicate existing forms.

As noted above, forms, once information is recorded on them, become local government records. Like other local government records, they should be systematically managed according to the precepts outlined elsewhere in this manual. This means, for instance, that decisions on their retention and disposition should be made in the same way that decisions are made for other records.

Filing systems. All local governments create and maintain files, but many offices do not organize and maintain their files in a systematic way. As a result, filing is slow and inefficient and retrieval of a specific record is often difficult and time-consuming. Filing problems can be discovered by examining selected file drawers and checking for the following:[1]

A. Open a drawer and see how crowded it is. A properly managed file drawer will use no more than 23" to 24" of the 27" of clear capacity. Tightly packed drawers slow filing and retrieval, cause files personnel to suffer paper cuts, and result in records which are torn, mutilated, or even destroyed.

B. Check the number of file guides in the drawer. Active file drawers should have between 5 and 20 file guides. Anything less probably means that files personnel are spending too much time "fingering" through the drawers.

C. Check the folders used. They all should have the same basic tab style, not a mixture of different types and sizes.

D. Notice how the folders are labeled. Standard folder labels should be used, and they should be typed rather than handwritten. Handwritten labels are indicative of a poorly run, inefficient file.

E. Notice the amount of material filed in the folders. Normally, manila folders are designed to hold a maximum of ¾" of material. Anything more than ¾" causes the material to ride up in the

folder and obscure the label. Overfilling also subjects the material to ripping and tearing and tends to cause the folders to "slump" in the drawer. On the other hand, if most files contain only a few items, there may be too many discrete files, and consolidation may be advisable.

F. Notice the age of the material in the folders. The cause of some of the other problems may be that a great deal of the material in the files is obsolete and overdue for disposition or relocation to an inactive storage area.

Filing systems can be developed that will eliminate these problems, prevent their recurrence, and speed up both filing and retrieval of records. A filing system is a method of organizing records by placing them in predetermined locations according to an overall plan of classification. There are four basic types of filing systems. The first, and most common, is an *alphabetical* system, which maintains material in alphabetical order. It can accommodate subject files, name files, geographical files, correspondence files, and case files. The alphabetical system is easy to set up, simple to use and update, and very flexible and expandable. It is also virtually self-indexing, making retrieval easy and a separate index unnecessary. A second type of filing system is a *numeric* system under which records are assigned a number according to a pre-arranged scheme, and then filed according to that number. A third system is called the *alphanumeric* system; it involves classification of records by codes, either alphabinations. The fourth system is a *chronological* system which, as the name implies, arranges records by date.

The nature of the records series and their probable use should determine which of these systems is adopted. For most local government applications, the alphabetical system is probably the most appropriate. The State Archives' published manuals on filing systems, noted in Chapter VIII, offer additional guidance on selecting, setting up, and implementing a system. There are a few other fundamental points to keep in mind regarding filing systems:

A. The system should be logical, practical, and as simple as possible. The criteria for any system should be: Does it actually *work*?

B. The system should be clearly understood by everyone who needs to use it. This is essential for the system to serve the office's information control and retrieval needs.

C. It should be flexible enough to accommodate records generated

or received over a considerable period of time.

D. The system must be carefully maintained. Records must be consistently filed in appropriate files, new files must be created as needed, and cross-references may need to be added as the files grow.

E. There should be provision for annual or other periodic cutoff of the files. This is ordinarily done at the file folder level. Inactive files (those referred to infrequently) should be removed from the filing system and transferred to an inactive records storage facility. Obsolete files (those with records that have passed their legal minimum retention periods and have no further use to the local government) should be removed and disposed of. This periodic "weeding" will keep the filing system from becoming overcrowded and reducing the effectiveness of the system.

F. Weeding should not take place within individual file folders. The periodic weeding at the file level referred to in (E) above should make it unnecessary to remove items from within individual folders.

Indexing minutes. The minutes of the governing body of a local government or of boards, commissions or other agencies are likely to be among the most important records series that exist. The minutes reflect most of the major issues and problems faced by the government: they include information on taxation, budget matters, and management and expenditure of revenue; they document policy decisions; and they contain information on the administration of governmental programs. The minutes are referred to frequently by local officials in the course of carrying out their administrative duties: they contain essential fiscal and legal documentation, and they have considerable long-term research value as well. Because of the central role of minutes, it is worthwhile to systematically index them. An index is simply an alphabetical listing of subjects, indicating the volumes and pages in the minutes where each subject is treated. An index can be maintained on a simple index card system or it can be generated and maintained by computer, a good approach if the minutes themselves are produced on word processing or other automated equipment. A central index to minutes has the following advantages:

A. It enables the local government clerk and other local officials to easily and quickly locate information in the minutes, to trace the

origin of issues and controversies, and to follow the development of policy.

B. The State's "Freedom of Information Law" and "Open Meetings Law" (Public Officers Law, Sections 84-90 and 95-106) require that the minutes of a public body be compiled and made available for public inspection and copying. The availability of an index will speed up handling of requests by the public for access to the minutes for information on specific topics and actions.

C. Indexing will make the minutes easier to use by historical and other researchers in the future.

Two publications available from the State Archives, *Indexing Municipal Minutes* (Albany, 1981) and *Indexing School District Minutes* (Albany, 1976), explain indexing techniques in detail.

Automated data processing. A detailed discussion of automated data processing systems, computers, and management of "machine-readable" records is beyond the scope of this manual. This is, moreover, a rapidly changing area. However, several aspects of this topic warrant at least a brief discussion in the context of records management:

A. It is advisable to carry out an information systems analysis before deciding on the purchase of a computer or the installation of an automated system. Such an analysis should cover how information is generated, stored, and used; how well existing records and information systems are performing; the role an automated system could play; ways in which manual and automated systems would be integrated to function together; equipment that would be needed; and staff training or addition of new staff that would be required. Such an analysis will assist in determining possible need for an automated system. If the analysis leads to the conclusion that such a system would be beneficial, the results of the analysis can be further used to determine the nature and functions of the system and whether it is preferable to purchase equipment or to contract with a service company. The Division of Local Government Services, New York State Department of State (162 Washington Avenue, Albany, NY 12231) can provide advice on how to carry out a systems analysis.

B. It is important to recognize that "machine readable" computer-generated records are in fact "records" within the meaning of

Section 57.07 of the Consolidated Arts and Cultual Affairs Law (quoted at the beginning of Chapter I, above). The information itself is a record, regardless of its physical format. This fact has considerable records management implications. It means, for instance, that legal minimum retention periods on State Archives' Records Retention and Disposition Schedules apply to machine-readable records in the same way that they apply to conventional paper records. If there is any doubt about applicable retention periods, it is advisable to check with the State Archives.

C. In general, machine-readable records need more careful attention than paper records to ensure their physical survival. The information in the records can be instantly destroyed by electronic and magnetic signals. An even more important consideration is that machine-readable records are stored on magnetic tape, disks, or punched cards, all of which are more fragile than traditional paper records or microfilm. Maintenance of machine readable records for long periods of time requires storage in a carefully climate-controlled environment; high temperatures are an especially serious threat because they can rapidly destroy the information on machine readable records. Systematic inspection and cleaning, and periodic recopying, may also be required. For information that is to be retained permanently, it may be advisable to transfer the information to a more durable medium such as high quality paper or computer output microfilm (COM). (In the COM process, information is transferred directly from the computer onto microfilm.) Transfer to paper or COM will help ensure the long-term survival of the information.

D. Preservation and use of machine readable records of long-range value present additional challenges. Future use requires access to equipment capable of "reading" the information or updating of the information when new equipment is secured. It is also essential to retain the documentation required to understand, retrieve, and manipulate the machine-readable records. This essential docu mentation includes information on the source material used to create the records, on how they were processed, on their physical organization, (including a codebook with data elements), and on the software and hardware used to produce them. Without this and other related information, it may be impossible to access and use the machine-readable data in the future.

Vital records. "Vital records" are those that are essential to the continuing operation of the government. They contain information that would be needed to resume and continue the operations of the government after a major disaster such as a fire or flood, to protect the legal and financial interests of the government, and to preserve the rights of the people. (The term should not be confused with "vital statistics" – records of births and deaths.) Vital records may include such materials as:

Minutes
Fiscal accounts and accounting records
Tax rolls
Franchises
Maps and surveys
Highway and street designations, determinations, and descriptions
Deeds
Vital statistics and marriage records
Records relating to outstanding indebtedness
Payrolls and other employee records
Insurance policies
Policies and procedures

It should be noted that some, but not all, "vital records" are also "archival records" (see discussion in Ch. VII, below). For instance, minutes, deeds, and original maps are archival and must be retained permanently. Fiscal accounts, employee files, and insurance policies, however, are not archival records. They are vital records because they are essential for operation of the government, but they lack sufficient administrative, legal, fiscal, or other values to warrant their permanent retention.

Vital records, because of their central importance to the functioning of the government, warrant special protection. Section 57.09 of the Consolidated Arts and Cultural Affairs Law (formerly Section 146 of the Education Law) mandates protection of such materials in a fireproof environment. This can include Underwriters Laboratories (UL) certified safes or insulated record containers, or fire-resistive vaults. Another means of protecting the information in vital records is what is sometimes called "duplication and dispersal." This involves making a microfilm or other copy, and placing the copy at a safe location away from the originals. This approach makes it highly unlikely that both copies could be destroyed by a single disaster. Of

course, it is advisable to take precautions to minimize the risk of loss of the originals by fire, water, or other damage and to develop a plan for salvaging records that may be damaged.

"Freedom of Information." The New York "Freedom of Information" Law (Public Officer's Law, Sections 84-90) governs the public's right of access to records of State and local government. The law defines "records" broadly to include "any information kept, held, filed, produced, or reproduced by, with, or for" an agency or the legislature, "in any physical form whatever." In general, the law provides that records are accessible except to the extent that they fall within one or more grounds for denial listed in the law. The law is administered by the Committee on Open Government in the Department of State (162 Washington Avenue, Albany, New York 12231, phone 518-474-2518). This law has at least three major implications for records management:

A. The law requires that each agency compile and maintain a "subject matter list" of records. According to the Committee on Open Government, "this list is not a compilation of every record an agency has in its possession, but rather is a list of the subjects or file categories under which records are kept. It must make reference to all records in possession of an agency, whether or not the records are available.... The subject matter list must be compiled in sufficient detail to permit [the public] to identify the file category of the records sought."[2]

B. The law requires appointment of a "Records Access Officer." The Committee on Open Government indicates that the Records Access Officer is generally responsible for coordinating an agency's response to requests for records as well as for "keeping the subject matter list up to date, assisting you [the public]] in identifying records sought, making the records promptly available or denying access, providing copies of records or permitting you to make copies, certifying that a copy is a true copy and, if the records cannot be found, certifying either that the agency does not have possession of the requested records or that the agency does have the records, but they cannot be found after diligent search."[3] For governments that appoint a Records Management Officer, as recommended in Chapter I above, it may be logical to designate the same person as Records Access Officer.

C. The "Freedom of Information" Law does not explicitly require that records be systematically organized or that they be retained

specific lengths of time. However, the law does give added incentive to local government officials to organize and manage their records so that information requested can be located readily and made available to the public. The law also provides incentive to make sure that records are retained as long as needed and that any records disposition takes place in accordance with legal procedures. Many of the records management practices discussed throughout this manual (e.g. survey of records, installation of filing systems, indexing of minutes, and a systematic approach to records retention and disposition) can help local government officials meet the requirements of this law.

Footnotes

[1] Adapted from New York State Office of General Services, Bureau of Records Management, *A Guide to Efficient Filing* (Albany, 1982), 3.
[2] Committee on Open Government, *The Freedom of Information and Open Meetings Laws...Opening the Door* (Booklet, Albany, n.d.), 5.
[3] *Ibid.*, 6.

TOWN OF AMHERST POINTS THE WAY WITH MODEL RECORDS PROGRAM THAT SAVES MONEY

The Town of Amherst is demonstrating [illegible] state program for managing [illegible] this long-standing [illegible] the growing volume of [illegible] cost accurately," says Town Clerk [illegible] the management and care of [illegible] tion, to disposing of [illegible] Town's archival records." The program [illegible] Amherst officials say.

The Amherst records program began in 1981 when [illegible] for and received a grant under the Local [illegible] Program of the State Archives and Public [illegible] Board (see article, page [illegible]). The [illegible] administered by Town Historian Dorothy Dale [illegible] identification of most of the Town's [illegible] way toward development of a total [illegible] ments: (1) centralizing dispositions of [illegible] and off-site storage of inactive records; (3) [illegible] records; and (4) computerization of [illegible]

Since 1981, over three tons of obsolete records have been [illegible] under the Amherst program. The Town follows [illegible] Records Retention and Disposition Schedule for [illegible] officials certainly do not take it [illegible] tion. "We encourage Town departments [illegible] just as soon as they meet [illegible] State Schedule and are no longer needed for [illegible] Town purposes," says Deputy Town Clerk [illegible] dinates the records management effort. Before any records are disposed of, however, both the Town Clerk and the respective Department head must approve the disposition in writing.

Records that are no longer needed in Town offices but are not yet disposable are transferred to a Records Center located a few miles away from Town Hall. Records storage costs are far less in the Center than in Town offices. Tassmann estimates that it costs the Town $15 to store a cubic foot of records for a year in Town Hall but only $6 in the Center, a savings of $9 per cubic foot per year. Moreover, the Center provides secure storage, and Tassmann can retrieve any record requested for use in its originating office within a few hours. "It's hard to resist the [illegible] arguments of cost savings and assurance of availability of [illegible] when needed," says Tassmann. Not surprisingly, the Center's holdings have increased rapidly during the past two years as Town offices took advantage of the service.

Most of the Town's historically valuable older records were microfilmed under the Local Government Archives Project. Dorothy Dale Pollack.

the archivist on that project, stayed on to become Amherst's official Town Archivist on a part-time basis. "We consider the informational content and probable research use when trying to determine archival value," she says. "If records contain long-term administrative, fiscal, legal, or historical research value, we keep them." Of course the State Schedule, which assigns a "permanent" retention period to many series of records, automatically identifies and mandates retention of many archival records. Pollack points to the town minutes, which date from Amherst's founding in 1819, as a prime example of an archival record. The minutes contain not only rich information on the organization and administration of the government but also on Amherst people and institutions. The archival records, which are located in their own part of the Records Center, are used chiefly by town officials checking past policies and by local historians and genealogists. *The Guide to the Archives of the Town of Amherst* (Williamsville, 1982) points researchers to the records they need.

Amherst also attempts to incorporate the latest in information technology to further streamline records operations. Selected bulky records are microfilmed and the originals disposed of in accordance with State Archives legal requirements. Thus far microfilming has centered on Special District Files in the Town Clerk's office and Site Plan Files in the Planning office, but plans are being developed to expand the microfilming program. All film is "blip encoded" to open up the possibility of computer-assisted information retrieval in the future. The Town is also exploring the possibility of purchasing a small microcomputer to keep track of records in the Records Center, to identify records as their retention periods expire, and to update the Guide to the archival records.

The records management program is popular among Amherst officials. "The idea has really caught on," says John Shearer. "Now town offices seek us out when they have records problems or want to get rid of unneeded records." The Town Board's satisfaction with the program is reflected in a recent decision to purchase more shelving to expand the Records Center's storage capacity and to purchase a new security system for the Center. The program not only improves the handling of records, it also saves money. Iannaro estimates future savings in cost-avoidances of over $40,000 from expanded Records Center capacity and the microfilm program.

Copies of the archival *Guide* are available and officials from other local governments can arrange to tour the Amherst records center. For more information on this and other aspects of the Amherst program, contact Mr. John Shearer, Town Clerk, Town of Amherst, Town Hall, 5583 Main Street, Williamsville, New York 14421.

(Source: *For the Record*, Vol. 1, No. 2, Fall 1983, 14-15.)

5 INACTIVE RECORDS

Introduction: the "life cycle" of records. For analytical purposes, it is useful to think of local government records as passing through a "life cycle," from origin to ultimate "disposition." The first stage is creation. Information is received or generated and recorded for the first time, bringing a record into existence. The record next enters an active stage, where it is referred to frequently in the conduct of office business. But gradually, reference use decreases and the record enters a "semicurrent," "noncurrent," or, as it is more commonly called, an "inactive" phase. The record is no longer likely to be required on a frequent basis. According to one rule of thumb, records referred to less than once per month per file drawer are considered to be inactive. After the inactive phase, records enter a final phase: disposition. For most records, this means outright destruction. After the records have passed their legal minimum retention periods and are no longer needed for government business, they should be disposed of in accordance with legal procedures, as discussed in Chapter II. For that small percentage of records identified as permanent or archival, "disposition" can mean transfer to the local government's archival facility, where they will be retained permanently.

This chapter discusses the management of records in their "inactive" phase. A sound, cost-effective approach to the management of these records is to set up an inactive records storage center for them. A records center is defined as a "... facility, sometimes especially designed and constructed, for the low-cost and efficient storage of and furnishing of reference service on, semicurrent records pending their ultimate destruction or transfer to an archival facility."[1] A carefully planned and well-administered records center provides a sim-

ple, efficient means of managing inactive records. As one expert has put it,

... orderliness, compactness, and security form the trinity of records center philosophy. Its prime objective is the elimination of the need for "dumping areas" by providing properly designed, equipped, and staffed space where records can be housed and serviced more efficiently and economically than they can be if kept in prime office areas or forgotten storerooms and other hiding places. The records center seeks to bring all records into the light where their usefulness can be monitored.[2]

Advantages of records centers. Segregrating inactive records, and storing and managing them in a records center, can have a number of benefits to local governments:

A. *Cost savings.* Transferring inactive records from active, crowded office areas to inactive records centers frees filing cabinets and other records storage equipment and office space for newer, more active records. The cost of maintaining records in a records center is much less than in active office areas. Savings will vary from community to community. However, one example of potential savings, as noted in Chapter I, is provided by the New York State Office of General Services, Bureau of Records Management. They estimate that it costs $12.33 per year to maintain records in State government offices, but only about $1.00 per year in the State Records Center.

B. *Easier and faster information retrieval.* Records can be retrieved much faster from a well-managed records center than they can from a disorganized records storage room. Transferring inactive records out of active office areas speeds up information retrieval there because the inactive records do not get in the way of, or mixed in with, newer and more active records.

C. *Better control.* It is much easier to assert and maintain intellectual and physical control over records that are concentrated in a records center than it is to try to keep track of records that are scattered in basements, attics, or other inadequate storage spaces.

D. *Security.* Records in a records center are less susceptible to theft, damage, or unwarranted disposition than are records that are kept in a less secure, and less controlled environment.

E. *Systematic legal disposition.* Records center operations include built-in controls for ensuring the orderly and periodic disposition of records. Those that have passed their legal minimum re-

tention periods are periodically destroyed. Those that are eligible for transfer to the archives are sent there.

Physical considerations. A records center need not be an elaborately designed facility. For a small government, a moderate-sized, secure room, properly outfitted, could serve as an adequate records center. For a large government, a warehouse facility with hundreds or even thousands of cubic foot storage capacity might be needed. Often, existing space within a county court house, town or city hall, or other local government building can be renovated and converted into an inactive records center. In other cases, a nearby warehouse or other structure might be purchased or leased and turned into a records center. The most desirable, but costly, option is construction of a new facility especially designed for this purpose. In some cases, it may be possible and desirable for more than one local government to join in cooperative operation of a records center.

Whether a records center is created within an existing structure, or a new facility is erected especially for this purpose, the following physical considerations are important:

A. *Location.* Ideally, the records center should be at or near the center of government operations. The more central the location, the easier it will be to receive, and provide reference service on, records. Off-site locations are acceptable provided provision can be made for prompt transporting of records to and from the center.

B. *Size.* The inventory and analysis of records, described in Chapter III, will provide a sound basis for estimating the quantity of records that should initially be stored in the records center. Records storage needs are likely to grow over the years, even with a systematic records disposition program, and future expansion needs must be taken into account.

C. *Security.* The facility should be secure, clean, and well maintained. It should be kept locked with only the records center manager and security personnel having access.

D. *Fire protection.* The facility should be fireproof and equipped with a fire detection/alarm system and a fire suppression system.

E. *Temperature and humidity controls.* Clean air and good ventilation are necessities. Air conditioning is desirable but not essential. The temperature should be maintained at 65-75 degrees F; the relative humidity at between 30 and 60%.

F. *Shelving.* Records center shelving should be installed in such a

way as to make maximum use of available floor space. Records centers commonly use steel shelving that is 30" X 42" in dimension, with shelves about 13" apart. Each of these shelves will accommodate six standard "records center cartons," described below. The shelves should be erected as high as possible. It is feasible, with steel shelving as high as 14 feet, to retrieve records with a mobile ladder without resorting to catwalks or multi-floors.

G. *Aisles.* In most records centers, the aisles need be only wide enough for passage of a person with a records cart. A width of 30" to 36" is usually regarded as sufficient.

Administration and control. In a records center, the legal custody of the records remains with the agency of origin. However, operation of the records center should be under the control and responsibility of a single individual, perferably the local government's Records Management Officer. Centralization of control ensures that the records center is administered efficiently and as part of a comprehensive approach to records management. Centralization is much preferable to letting each department or office have its own space in a records center. The latter arrangement leads to lack of controls over the records and forfeits many of the advantages of a comprehensive, uniformly administered operation. The records center manager should have these responsibilities:

A. Designing the records center, including shelving and equipment and security considerations.

B. Accepting records into the records center.

C. Controlling access to the records center.

D. Administering reference services on records stored in the records center.

E. Coordinating periodic legal disposition of records and transfer of archival records to the archival facility.

F. Reporting on records center operations.

In small governments, one person working part-time can easily handle these functions. In other cases, a records center manager may require staff assistance, particularly if the manager is also the Records Management Officer and therefore has other duties besides the records center.

Records center procedures. Records centers function smoothly and efficiently if they are administered according to certain procedures that are applied uniformly and consis tently. The most important of these procedures, and some of the forms needed to support them, are as follows:

A. *Transfer of records to the records center*. Records should be transferred to the records center only with prior approval of the records center manager. A form called a "Records Center Transfer List" is the key to control of the system. (A sample form, the one used by the New York State Records Center, is provided as Figure I). The form, to be filled out by the office transferring the records, should have space for: (1) the name of the transferring office; (2) the identity and inclusive dates of the records; (3) a listing of containers; and (4) the records' legal minimum retention periods and dates for destruction or transfer to the archives. It is helpful to fill out the form in triplicate. One copy is annotated to show shelf location of the records and is retained by the records center manager. One is returned to the office that sent the records as evidence that the records were received and taken into the records center. The third should go into a chronological "tickler" file according to the projected date of disposition as a reminder to the records center manager to take action at that time.

B. *Cartons*. Whenever possible, records should be packed into uniform cartons made of heavy, corrugated cardboard before transfer to the records center. The most useful carton, often referred to as a "records center carton," measures 10" X 12" by 15", and holds approximately one cubic foot of records. These cartons are usually available on state contract; check with State Archives for more information. Six of these boxes fit compactly onto one section of the standard records center shelving described above. Only records from a single series should be packed into each carton; it is usually not advisable to intermingle records from more than one series or file in the same carton. The transfer list number and the name of the agency should be placed on the outside of the carton.

C. *Placement of records in the records center*. The records center manager should assign records to shelf space as they are received. It is not desirable to allocate specific amounts of space to individual departments because it is impossible to predict accurately how much space a given department will need over the years. The use of the "Records Center Transfer List," discussed above, provides

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FIGURE I

Records Center Transfer List

Rev 10 (5/82) – CS-946 (8/77)

STATE OF NEW YORK EXECUTIVE DEPARTMENT OFFICE OF GENERAL SERVICES BUREAU OF RECORDS MANAGEMENT	RECORDS CENTER TRANSFER LIST	1. LIST NUMBER	2. PAGE OF PAGES

TO: RECORDS CENTER
BUILDING 21
STATE OFFICE BUILDING CAMPUS
ALBANY, NEW YORK 12226

3. FROM AGENCY

THE RECORDS LISTED ARE TO BE TRANSFERRED TO THE STATE RECORDS CENTER SUBJECT TO THE RULES OF THE COMMISSIONER OF GENERAL SERVICES AND RESTRICTIONS BELOW

4. TRANSFER DATE

5. CONTAINER NUMBER	6. DESCRIPTION OF RECORDS (DESCRIBE CONTENTS OF EACH CONTAINER)	7. DISPOSITION			11. TO BE COMP BY RECORDS CENT			
		MO	YR	AUTH #	RR	ST	SH	#

8. RESTRICTIONS

THE CONTAINERS LISTED ABOVE WERE RECEIVED AT THE NEW YORK STATE RECORDS CENTER EXCEPT AS NOTED

COMMISSIONER OF GENERAL SERVICES

By
SIGNATURE DATE

9. TOTAL NUMBER OF CONTAINERS	SIZE OF CONTAINER		
	9A. LENGTH	9B. WIDTH	9C. DEPTH

10. AGENCY RECORDS OFFICER

DATE

SIGNATURE TITLE

AGENCY LOCATOR COPY

BEST COPY AVAILABLE

FIGURE I

INSTRUCTIONS FOR PREPARATION OF A TRANSFER REQUEST

1. Transfer List Number.
   (Transfer lists are numbered sequentially during a calendar year; e.g., 1-79,2-79, etc.)

2. Total number of pages of transfer list

3. Agency name, address and code number).

4. Proposed date of transfer (five or more days after date of application).

5. Container number.

6. Description of contents of each container by container number.

7. Disposition date and OGS issued disposition authorization number.

8. Restrictions imposed on access to records or information they contain.

9. Number and size of containers.

a means for quickly and easily locating any record stored in the records center.

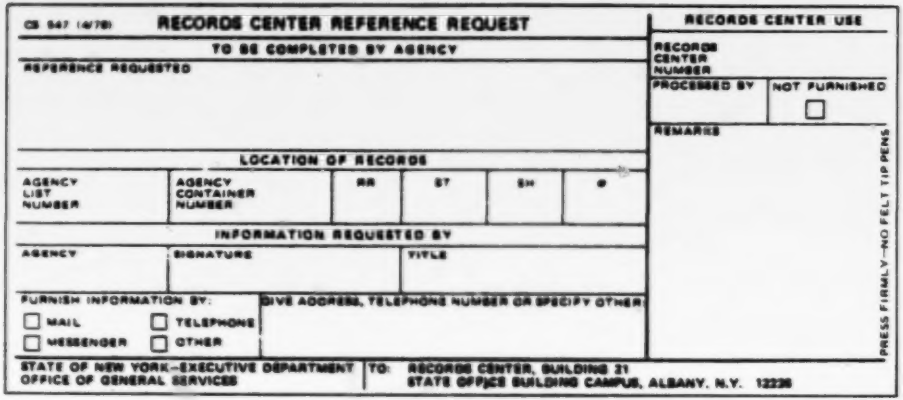
D. *Reference*. Records transferred to the records center are "inactive" but may need to be referred to from time to time. Reference requests may be made to the records center manager by phone or in person by the agency that sent the records. A "Records Center Reference Request" form should be developed for use by offices needing this service. (A sample form, used at the New York State Records Center, is provided as Figure II.) It is the responsibility of the records center manager or the records center staff to retrieve the records, make them available, and return them to their assigned place in the center after use.

E. *Withdrawal*. Occasionally, an office may find that it needs records more frequently that it anticipated when they were sent to the records center. It may therefore wish to withdraw them from the records center. When this need arises, a form entitled "Records Withdrawal Authorization" should be used to document and approve the withdrawal. (A sample form, used at the New York State Records Center, is provided as Figure III.)

F. *Disposition*. Most records sent for storage in the records center will eventually be destroyed. Others will be transferred to archival custody. It is the responsibility of the records center manager to take the lead in this process. The system of filing a copy of the Records Center Transfer List in a chronological "tickler" file, discussed above, is a good way of maintaining a continuing record of when records are eligible for disposition or transfer to the archives. In the case of archival records, they should simply be transferred to the archives by the date specified. In the case of records proposed for destruction, the records center manager should: (1) check the current appropriate State Archives' Records Retention and Disposition Schedule to reaffirm that the legal minimum retention period has not been increased; and (2) check with the department that owns the records and secure their concurrence. Then the records may be destroyed. The "Records Center Transfer List" should be annotated to show the date of destruction or transfer to the archives.

Reporting on records center operations. The records center manager should maintain statistical and other information on record center operations. The Records Management Officer should periodically

FIGURE II Records Center Reference Request Form



CS 947 (4/78) **RECORDS CENTER REFERENCE REQUEST**

TO BE COMPLETED BY AGENCY

REFERENCE REQUESTED

LOCATION OF RECORDS

AGENCY LIST NUMBER	AGENCY CONTAINER NUMBER	RR	ST	SH	#

INFORMATION REQUESTED BY

AGENCY	SIGNATURE	TITLE

FURNISH INFORMATION BY: ☐ MAIL ☐ TELEPHONE ☐ MESSENGER ☐ OTHER

GIVE ADDRESS, TELEPHONE NUMBER OR SPECIFY OTHER

STATE OF NEW YORK—EXECUTIVE DEPARTMENT
OFFICE OF GENERAL SERVICES

TO: RECORDS CENTER, BUILDING 21
STATE OFFICE BUILDING CAMPUS, ALBANY, N.Y. 12226

RECORDS CENTER USE

RECORDS CENTER NUMBER

PROCESSED BY | NOT FURNISHED ☐

REMARKS

PRESS FIRMLY—NO FELT TIP PENS

INSTRUCTIONS FOR PREPARATION OF A REFERENCE REQUEST

Reference Requested

The specific information or records desired, including serial or other referral number if applicable.

Location of Records

The location data for the containers holding the requested record, including:

1. Agency transfer list number
2. Agency container number
3. Records Center location

This information is on the Agency Locator copy of the Transfer List (Form RM-16) covering the transfer of the records to the Center.

Information Requested By

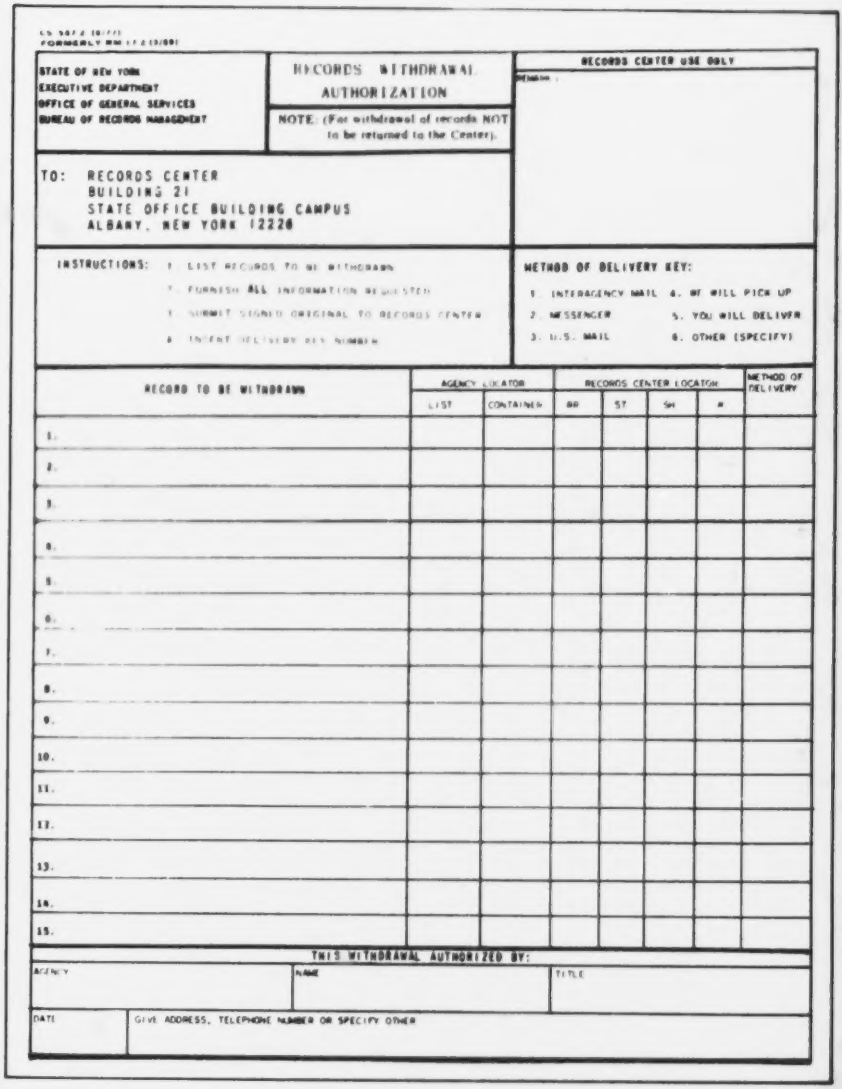
The name, title and agency of the person making the request.

Furnish Information By

The means by which the requested information is to be furnished (specify "other.") Include name, address and telephone number of person to receive the information.

FIGURE III

Records Withdrawal Authorization Form



STATE OF NEW YORK
EXECUTIVE DEPARTMENT
OFFICE OF GENERAL SERVICES
BUREAU OF RECORDS MANAGEMENT

RECORDS WITHDRAWAL AUTHORIZATION

NOTE: (For withdrawal of records NOT to be returned to the Center).

RECORDS CENTER USE ONLY

TO: RECORDS CENTER
BUILDING 21
STATE OFFICE BUILDING CAMPUS
ALBANY, NEW YORK 12226

INSTRUCTIONS: 1. LIST RECORDS TO BE WITHDRAWN
2. FURNISH ALL INFORMATION REQUESTED
3. SUBMIT SIGNED ORIGINAL TO RECORDS CENTER
4. INDICATE DELIVERY KEY NUMBER

METHOD OF DELIVERY KEY:
1. INTERAGENCY MAIL
2. MESSENGER
3. U.S. MAIL
4. WE WILL PICK UP
5. YOU WILL DELIVER
6. OTHER (SPECIFY)

RECORD TO BE WITHDRAWN	AGENCY LOCATOR		RECORDS CENTER LOCATION				METHOD OF DELIVERY
	LIST	CONTAINER	BR	ST	SH	#	
1.							
2.							
3.							
4.							
5.							
6.							
7.							
8.							
9.							
10.							
11.							
12.							
13.							
14.							
15.							

THIS WITHDRAWAL AUTHORIZED BY:

AGENCY	NAME	TITLE
DATE	GIVE ADDRESS, TELEPHONE NUMBER OR SPECIFY OTHER	

BEST COPY AVAILABLE

RECORDS INVENTORY AND ANALYSIS WORKSHEET

1) Department	Division	Section

2) Title of Records Series

3) Location of Records

4) Description of Records Series (content, purpose, etc.)

5) Earliest Date/Latest Date	6) Records still created? YES ☐ NO ☐	7) Volume _____ cu. ft.	8) Annual Accumulation _____ cu. ft.

9) Record Series Characteristics (Check Appropriate Boxes)

TYPE: ☐ PAPER ☐ CARD ☐ BOUND VOLUME ☐ MICROFILM ☐ MACHINE READABLE
☐ OTHER (Specify) _____

SIZE: ☐ LETTER ☐ LEGAL ☐ OTHER (Specify) _____

STATUS: ☐ ORIGINAL ☐ COPY

FORMAT: ☐ TYPEWRITTEN ☐ HANDWRITTEN ☐ OTHER _____

ARRANGEMENT: ☐ CHRONOLOGICAL ☐ ALPHABETICAL BY _____ ☐ NUMERICAL BY _____ ☐ OTHER _____

10) Reference Frequency (check blocks, insert numbers, circle appropriate words)

_____ Times, daily, weekly, monthly, yearly for _____ months, years Never after _____

11) Information Available Elsewhere?	12) Microfilmed?
YES ☐ NO ☐ (If yes, where? _____)	YES ☐ NO ☐ (If yes, explain) _____)

13) Are records indexed?

YES ☐ NO ☐ (If yes, identify _____)

14) How stored?

☐ Filing Cabinets ☐ Shelves ☐ Boxes ☐ Other _____

15) Condition of Records

___ Poor ___ Fair ___ Good (Explain any problems) _____

16) Records on State Archives' Records Retention and Dispositon Schedule?

YES ☐ NO ☐ If yes, Schedule No. _____ Item No. on Schedule _____

If no, suggested retention period and justification _____

17) Condition of Storage Area (security, fireproof, alarms, environment, etc.)

☐ Good ☐ Poor State any storage problems _____

18) Additional Comments

19) Name of Person Completing Inventory Date

_____ _____

20) Action taken

☐ Records disposed of, date _____. ☐ Microfilmed, date _____.

☐ Sent to inactive records center, date _____. ☐ Retain permanently, sent to archives, date _____

☐ Other (Explain) _____

21) Name of person taking action _____

From: *Managing Local Government Records: A Manual for Local Government Officials in New York State* (Albany: State Education Department), 1985.)

report on the operation of the records center to the local government's chief executive officer and to the legislative body. The report on records center operations can simply be one component of the Records Management Officer's periodic reports. The records center report should include at least the following information for the period covered by the report:

A. Quantity of records received and stored, broken down by department.

B. Number of reference requests handled.

C. Volume of records legally destroyed.

D. Identification of records transferred to the archives.

E. Amount of space remaining in the records center.

F. Estimates of cost avoidance and cost savings achieved through the operations and services of the records center.

G. Recommendations for needed changes in size of records center, staffing, etc.

Footnotes

[1] William L. Rofes, ed., "A Basic Glossary for Archivists, Manuscript Curators, and Records Managers," *American Archivist* 37 (July 1974), p. 430.

[2] H.G. Jones, *Local Government Records: An Introduction to Their Management, Preservation, and Use* (Nashville, 1980), p. 59.

6 MICROFILM

Introduction. Microfilming is the photographic process of creating miniaturized copies of records on film. Microfilming concentrates information in a compact format. It can, therefore, improve the storage, control, preservation, retrieval, and use of that information. When the film is produced and maintained to acceptable quality standards, the original records can legally be destroyed in most cases, and the microfilm substituted for the originals. Many local governments are utilizing microfilm as an important element in their records management programs. However, microfilm is not a panacea for records management problems, and it is not a substitute for a sound records management program.

Advantages of microfilm. A well-planned, systematic microfilming program can lead to these benefits:

A. *Easier, quicker information retrieval*. The information is concentrated and readily accessible, and microfilm is easier to handle and manipulate than bulky paper records. Time—and money—may be saved because all the information in a given series is located in one place and desired information can be quickly located and retrieved.

B. *Information dissemination*. Copies of the microfilm can be made and sent wherever they are needed. This makes it possible to use the information in more than one location at the same time.

C. *Space savings*. Microfilm can be stored in much less space, and at far less cost, than the corresponding paper records.

D. *File integrity*. Once records have been microfilmed, the information is in a "frozen" and unalterable order. This eliminates misfiling or loss of individual documents.

E. *Security*. Duplicate copies of microfilm can be stored away from the records that were filmed, and away from the original (camera-produced) microfilm. This ensures survival of the information even if the original records, or the original film, are lost, stolen, damaged, or destroyed.

F. *Preservation*. Wear and tear on the original records can be reduced by making the microfilm version available for use in lieu of the originals.

G. *Cost savings*. Appropriate microfilm applications can result in cost savings through more efficient information storage, quicker and easier information retrieval, and decreased storage costs.

Limitations of microfilm. Despite its important advantages, microfilm does not solve all records management problems. It is important to keep its limitations in mind:

A. *Expense*. Whether performed directly by the local government itself or carried out by a microfilm service company, microfilming is costly. If applications are not well planned in advance, microfilming can result in a net cost rather than cost savings.

B. *Technical challenges*. Microfilm is a sensitive information medium. Microfilming must be carefully carried out and closely monitored, quality standards must be met, the film must be carefully processed and inspected, and it must be properly stored. If care is not exercised, the film may be illegible or the images may deteriorate over time.

C. *Need for viewer equipment*. Wherever film is to be used, there must be appropriate microfilm readers. Other devices, known as "reader/printers" will be needed if paper copies need to be made from the film.

D. *User resistance and fatigue*. Some people find microfilm visually fatiguing to use. People may be slow to adopt and use microfilm because they are accustomed to using paper records.

E. *Not a substitute for good records management practices*. Microfilming will not solve accumulated problems resulting from inadequate records management practices. It will not overcome problems such as the unnecessary retention of obsolete records, disorganized files, or inadequate filing systems. In fact, microfilming may perpetuate and intensify such problems by "freezing" the information in an unsatisfactory, disorganized state.

Planning a microfilm program. Most microfilming carried out by local governments is tied to improvement of information management. The records are microfilmed, the originals are legally destroyed under the procedures discussed below, and the microfilm is then substituted for the original records. Such an application of microfilming can be beneficial in terms of cost and information management efficiency. Microfilming also has considerable usefulness in the area of archival records. The State Historical Records Advisory Board, in its 1984 report to Governor Cuomo, strongly emphasized the need for increased microfilm ing of local government archival records to ensure the preservation of important research information and to encourage its wider research use. Microfilming of archival records provides security against possible loss of the originals, cuts down on unnecessary handling by making the film rather than the originals available to researchers, and makes it possible to disseminate the information in the records to wherever it is needed through loan or reproduction of the film.

A number of factors should be considered in selecting records to be microfilmed:

A. *Quantity*. How voluminous are the records? How fast is their volume growing? How much storage space can be saved if they are microfilmed and the originals destroyed?

B. *Retention period*. How soon could the original records be legally disposed of if they were not microfilmed? Generally, it is not cost effective to microfilm records that have legal minimum retention periods of 10 years or less. It is cheaper to store such records in low-cost records storage areas or centers (see Ch. V) than to microfilm them.

C. *Physical characteristics of the records*. What is the size, shape, and condition of the records? Will all the information be legible on film? Do they present any special problems for microfilming?

D. *Use*. How frequently are the records used? Who uses them, and for what purposes? Is information needed in more than one location at a given time? How often are copies needed? How much will information retrieval and access be increased if the information is available in a microfilm version? How much cost savings will result?

It is advisable to contact the State Archives before planning a microfilm program. Archives staff can provide advice on selection of records, microfilming procedures, and other aspects of such a program.

Legal requirements. It is important to understand the legal requirements for disposition of local government records that have been microfilmed. Section 51-a of the General Municipal Law, Section 65-a of the Public Officers Law, and Section 57.11 of the Consolidated Arts and Cultural Affairs Law, govern the microfilming of records and the disposition of the originals. Copies of these laws are reprinted in Appendix I. In general, these laws provide that:

A. Any public official may microfilm any record in his or her custody.

B. The microfilm used must be durable and the original records must be accurately reproduced in all details.

C. The microfilm, and paper copies that can be made from it, are to be considered legal substitutes for the original records for all purposes, including introduction as evidence in courts and administrative agencies.

D. The film must be conveniently accessible for use.

E. Provisions must be made for preservation of the film for its required retention period, which is permanent for microfilm of archival records.

F. After microfilming, the consent of the Commissioner of Education must be obtained before the original records may be destroyed.

There are a few exceptions to the above generalization that records may be disposed of after microfilming. The consent of the Commissioner of Education will not be given to the destruction of official minutes, original maps, archival records that have intrinsic value apart from the information they contain, and a few other categories.

These legal requirements impose on the local government official the responsibility for producing durable, complete, and usable film; for protecting it; and for making it available for use. The State Archives encourages systematic microfilming programs and can provide limited advice on planning and implementation of such programs. The

Archives also has developed guidelines for the production of acceptable quality microfilm, which are discussed later in this Chapter. Finally, the Archives also carries out the legal provisions pertaining to the consent of the Commissioner of Education to the disposition of records that have been microfilmed.

The main responsibility for the production of quality microfilm, however, rests with the local government official. In seeking the consent of the Commissioner of Education to the destruction of records that have been microfilmed, the Records Management Officer or other appropriate local official must sign a certification that the film is durable, complete, accessible, and properly stored. The Archives may spot-check microfilm but it does not inspect film to make sure that it meets quality standards. The Archives' consent to the disposition of the original records is based on the statement in the certification that good quality film is being produced, and that the film will be properly stored during the required retention period. More information on disposition procedures, and copies of the "certification" used to request consent to dispose of original records, are available from the Archives.

Microfilm quality guidelines. The following guidelines are provided to assist local government officials who are microfilming with the intention of legally disposing of the original records, and those who are microfilming archival records. In a few cases, the guidelines refer to publications of two national organizations which have published standards that are widely recognized as authoritative in the microfilm industry:

Association for Information and Image Management (AIIM)
(formerly the National Micrographics Association [NMA])
1100 Wayne Avenue
Silver Spring, MD 20910

and

American National Standards Institute (ANSI)
1430 Broadway
New York, NY 10018

A. *Microfilm stock.* The original (camera-produced) film stock used must be durable enough that the information from the records will last and be readable at least as long as the minimum legal

retention period for the records. Fine-grained, high-contrast silver halide microfilm, certified to conform to two ANSI standards, is *strongly* recommended for all microfilming applications. These standards are: *Specifications for Safety Photographic Film* (ANSI PH 1.25 – 1976), and *Specifications for Photographic Film for Archival Records, Silver Gelatin Type* (ANSI PH 1.28 – 1981 for cellulose ester base films or ANSI PH 1.41 – 1981 for polyester base films). Such film is essential to assure sharpness, good contrast, and durability.

B. *Completeness*. The microfilm must accurately and faithfully reproduce all of the information in all of the records.

C. *Identification*. The film must include identification "targets" – sheets of paper with identifying or descriptive information filmed along with the records as an aid to the users of the microfilm. The targets must show the identity of the records, their ownership, and must include a certificate at the end signed by the microfilm camera operator that authenticates the film. Identification is spelled out in *Recommended Practice: Identification of Microforms* (ANSI/NMA MS19 – 1978).

D. *Readability and reproducibility*. The film must be clear and it must be possible to read all of the information. It must also be possible to produce clear, readable paper printouts from a "second-generation" copy of the film (i.e., one duplicated from the camera-produced film).

E. *Inspection and checking*. The film should be thoroughly and completely inspected. An NMA publication, *Practice for Operational Procedures/Inspection and Quality Control of First-Generation Silver Halide Microfilm* (ANSI/AIIM MS23–1983) covers this subject in detail. Four types of checks should be made:

   1. *Visual inspection*. The film should be completely checked on a reader or a light-box. This ensures that all of the information in all of the records is included, that all the images are readable, and that the film is properly targeted.

   2. *Contrast*. The film should have a sharp tonal contrast between the information and its background. This contrast is reflected by what is called the "density" of the film. "Density" technically means the ability of the finished film to transmit light. In more practical terms, it can be equated with the overall lightness or darkness of the film. Density is measured by a device called a densitometer. Readings should be between .80 and 1.20.

3. *Sharpness*. The information on the film should be sharp and readable. Microfilm experts use the term "resolution" to describe the sharpness of the film. Resolution is measured by using a microscope to read a special resolution test chart that is filmed near the beginning of each role of film. Resolution is measured in terms of "lines per millimeter" and should be at least 90 lines/millimeter.

4. *Chemical residue*. Processed film should be tested to make sure that processing chemicals which could cause image deterioration are thoroughly washed from the film. ANSI/AIIM standard no. MS23 – 1983, mentioned above, describes the procedure for carrying out these tests. They are described in more detail in *Methylene Blue Method for Measuring Thiosulfate and Silver Densitometric Method for Measuring Residual Chemicals in Films, Plates, and Papers* (ANSI PH 4.8 – 1978). These tests are complex and must be carried out in a laboratory that has the special equipment required.

F. *Duplication*. A duplicate copy should be made of all film, for two reasons. First, original (camera-produced) film has a soft emulsion and scratches easily. Prolonged use in a microfilm reader can make it illegible. Second, a duplicate copy can be stored away from the original, for security considerations. Duplicate copies of the film may be silver, or they may be on a different kind of film base such as diazo and vesicular, which are less expensive than silver.

G. *Storage*. The silver original film should be stored under conditions that ensure its maximum longevity. Advisable storage conditions are outlined in detail in *American National Standard Practice for Storage of Processed Safety Photographic Film* (ANSI PH 1.43 – 1979). In general, the following should be done:

1. The film should be placed in sealed metal cans or in specially manufactured microfilm boxes with a low-acid content.

2. The film containers should be stored in clean, climate-controlled surroundings. Temperatures should be in the 60 – 70 degree F range. Relative humidity should be around 40%.

3. There should be adequate security against fire, water, and theft.

4. The film should be inspected periodically.

H. *Use*. The reference copy of the film should be located where it will be easily accessible to government personnel and other us-

ers. A finding aid or roll content listing should be available to facilitate access and use. There should be a microfilm reader/printer that is compatible with the film, and that can make clear, legible paper prints from the film.

Film "in-house" or on contract? Local governments have two options for records microfilming: they can purchase (or lease) equipment and carry out the filming themselves, or they can contract to have it done by a microfilm service company. Each approach has advantages and drawbacks. An "in-house" operation gives the local government complete control over scheduling and filming and provides the opportunity for close monitoring to assure quality control. The risk of records loss is minimized since they do not leave the premises. On the other hand, initiating an "in-house" operation requires purchase of microfilming equipment and upkeep through maintenance service contracts, hiring, training, and maintaining staff to do the work; and mastery of the technical details of microfilming operations. Filming on contract eliminates these problems, but it may be more costly in the long run. An "in-house" operation may be preferable if the filming is more or less continuous, fairly large-scale, and involves only a few types of records. If the filming is intermittent and involves many different kinds of records that are difficult to film, contracting may be preferable. If a contractor is used, the contract should clearly spell out the contractor's responsibilities for meeting the NMA and ANSI standards and for conforming to other microfilm quality guidelines that were outlined earlier in this Chapter. Ultimate quality control for microfilming cannot be delegated; it is the responsibility of the local official.

Computer Output Microfilm (COM). The discussion of microfilm in this chapter has, to this point, been confined to systems and processes for microfilming paper records. There is, however, another application of microfilm that is being used by a growing number of local governments. This is Computer Output Microfilm, or COM. COM converts computer-generated data from machine-readable form to human-readable form on microfilm. The information is recorded directly from the computer onto microfilm, by a device called a COM Recorder, and no intermediate paper record is produced. COM has several attractive features: (1) by creating compact microfilm rather than bulky computer-generated paper printouts, COM achieves significant cost savings and decreases the amount of needed storage space; (2) COM can be easily indexed during the process of production, making it easy to file and to retrieve later; (3) COM systems

generate information much faster than conventional computer printers; and (4) COM records information on a microfilm base which is more durable than the highly acidic, poor quality paper used for most computer printouts. There is a major drawback, however: COM units are very expensive. An increasing number of local governments are having COM produced by microfilm service bureaus.

From a records and information management standpoint, it is important to keep in mind that COM is, in the final analysis, a means of generating and recording information. The computer output microfilm itself, therefore, becomes the record of final entry. Most of the records management precepts outlined in this manual apply to COM just as much as they apply to conventional paper records. Minimum legal retention periods on schedules apply to COM records just as they apply to paper records.

7 ARCHIVAL RECORDS

Introduction. Archival records of local governments are those that are worthy of permanent preservation and special administration because of the importance of the information they contain for continuing administrative, legal, or fiscal purposes, or for historical or other research. Only a very small portion – usually less than 5% of the total – of a local government's records are generally considered to belong in the category of "archival." However, these records have extraordinary significance. They "document the origin and history of the local government and provide the evidence of the origin and development of its agencies. They are the memory of the jurisdiction; they reveal a continuity linking the present with the past."[1] The primary purpose of a local government archival program is, in fact, to preserve records permanently needed by the government itself – for carrying out retrospective policy analysis, for ensuring administrative continuity, for documenting the government's legal rights and obligations, and for documenting the rights of citizens. Archival records also contain information on the development of the community, on the activities of its institutions and groups, and on the lives of its citizens. Such records are, therefore, valuable for a wide range of historical and other research.

Identifying archival records. Which local government records are, in fact, "archival records?" There is no simple answer to this question and no simple formula that can be applied to guarantee identification of all the archival records of a local government. In the future, the State Archives hopes to develop listings of archival records for each major type of government in the State. Archival records are designated "permanent" on the Records Retention and Disposition

Schedules (discussed in Chapter II, above) that State Archives issues. Archival records are identified through a careful appraisal process, summarized in Chapter II. Such records have continuing "primary" and "secondary" values or uses, as follows:

A. *"Primary" value.* The record's "primary" value is its usefulness to the local government itself, for continuing administrative and operational purposes. For instance, minutes of the meetings of a local governing body are archival because they document important policy decisions. Maps that show the local government's legal boundaries or document the right-of-way of municipal highways are archival. Deeds to municipally owned property are archival because they prove ownership. Records showing location of water and sewer lines and other municipal utilities are archival because of their continuing usefulness. The article by Robert W. Arnold III, manager of the Albany City/County records program, that is reprinted elsewhere in this chapter, provides further discussion of this primary value of records.

B. *"Secondary" values.* The "secondary" value of records is their usefulness for reasons other than those for which they were originally created or filed. Some records are important because they document the organization and functioning of the government itself. Those containing the best evidence of "organization, functions, policies, decisions, procedures, operations, or other activities" of the government are archival.[2] This is sometimes referred to as the "evidential" value of records. Other records are worthy of permanent preservation because of the significance of the information they contain on "persons, places, subjects, and the like with which public agencies deal."[3] These records contain information on economic and social affairs, on community events and developments, on institutions and groups, and on individual citizens. This information is important for research in history, economics, sociology, legal studies, demography, and studies of land use, transportation, economic development, and other fields. This is sometimes called the "informational" value of records.

It is important to recall the distinction between "vital records" and archival records explained in Chapter IV, above. Vital records are those that are essential to the continuing operation of the government. Some vital records – e.g., minutes, deed books, and original maps – are also archival records. But other vital records – e.g., current fiscal accounts, employee files, and insurance policies – are not

archival records. All archival records and all currently vital records have one thing in common, however: they warrant a high degree of security and protection because of their importance.

Organizing a local government archival program. Each local government should recognize its responsibility to systematically preserve, manage, and make available its archival records. In the future, the State Archives expects to develop detailed guidelines for the organization and development of local government archival programs. The discussion below is intended to provide general guidelines. An archival program does not have to be elaborate or expensive to be effective, but it should be based on the general precepts that are discussed below.

In general, there are three options for organization of an archival program:

A. Most local governments will find it best to organize their own program on their own premises, using their own resources. This ensures that the program is completely attuned to, and responsive to, the needs of the local government and of the community.

B. For other local governments, particularly smaller ones, the best approach to the archival function may be to combine forces with a number of other local governments to achieve an acceptable level of resources and expertise. Consideration of this cooperative approach is recommended in the State Historical Records Advisory Board's 1984 report, *Toward A Usable Past: Historical Records in the Empire State.*

C. Some local governments may prefer to make arrangements with a local historical society, library, or other institution to organize and administer the government's archival records. This approach is advisable *only* if it is very carefully planned and negotiated and includes a written agreement, approved by the governing bodies on both sides, spelling out explicitly who has continuing responsibility for care, protection, arrangement, description, and reference services and how these functions are to be performed and supported. Such arrangements require the prior review and approval of the State Archives if records are to be physically transferred from the premises of the local government.

No matter how the program is organized, the following elements should be present:

A. *Responsibility*. The archival program should be developed as part of the local government's total records management program, or closely coordinated with it. One person should be assigned responsibility for the archival program. The Records Management Officer may serve this function or, as a minimum, must work very closely with the person who performs it. Whenever possible, the officially appointed local government Historian should be involved in the archival program by assisting with records appraisal activities, carrying out research in the archives, and encouraging others to use them.

B. *Legal authority*. The local government's records ordinance, discussed in Chapter I, above, should include a provision for the establishment of the archival function, define its role in relation to the records management program, and provide for its continuing operation as an administrative function of the government.

C. *Resources*. The chief administrative officer and the local government's legislative body must ensure that the archival program has sufficient resources to adequately carry out the archival function on a continuing basis.

D. *Physical facilities*. Archival records should be stored in a secure, fireproof facility that is equipped with a fire detection/alarm system and a fire suppression system. In some cases, this can be the same facility used for protecting the local government's "vital records" (see Ch. IV, above). Temperature and humidity controls are essential. The facility should be secure, with the records storage area accessible only to authorized staff persons. Steel shelving is essential, and acid-free file folders and records cartons should be used for storing the records. If the government has a records center for storage of inactive records, the archives may be stored in that facility; it is preferable to have a separate area set aside for the archival records and to have the archival records administered separately from others stored in the records center.

E. *Preservation*. Temperature and humidity should be maintained at appropriate levels to prolong the life of the records. The records should be stored in a clean environment and protected against dirt, mold, and vermin. Precautions should be taken to protect the records from damage and theft. Staff should provide basic cleaning and may, if they have received appropriate training, perform basic conservation, such as repair of damaged records. More serious preservation problems should be referred to a professional conservator.

"WHY SHOULD WE EVEN HAVE AN ARCHIVIST"

by: Robert W. Arnold III
Executive Director
Albany County Hall of Records
and Director of Public Records, City of Albany

Possibly because no one seems able to answer [illegible] they do it, archivists [illegible] to non-comprehension of their [illegible] recorded information [illegible] come to be known [illegible] tive one, part of the [illegible] from [illegible] permanent [illegible] future to [illegible] genically, from the [illegible] curatorial [illegible] and preservation [illegible] archival [illegible] of documents.

There is a [illegible] archives to their [illegible] vista, [illegible] boarded, [illegible] To compound [illegible] to the [illegible] apple pie [illegible] national [illegible] seen, [illegible] Emphasis for [illegible] support their [illegible] All [illegible] the public [illegible] storing information [illegible] archivist may [illegible] for the [illegible] tution of marriage [illegible] these records [illegible] genuine only [illegible] an advocate [illegible] for allies. At the same time, it is not [illegible] the use of the institutions [illegible] by members of the [illegible] their administrative [illegible] shown that by serving [illegible] ones.

As all an institution's managers [illegible] the institutional archivist must by [illegible] rooted in the archivist' functional needs. To compound matters, the need for major upgrading of the [illegible]

with managers who want to get into micrographics or word-valid case but must still deal in an aggressive and entirely pragmatic way. While the academic aspects of the job may be the most interesting, they alone generally prove inadequate to win a share of the budget.

How can the archivist, as part of the institutional records management team, demonstrate utility? Some recent cases demonstrate practical uses of archives:

1. Gas company workers in a suburban town, excavating in a public thoroughfare, uncovered an old gas line. Igniting it a flame shot from pipes curved with years. The gas line was injured 17 persons and destroyed property. Several suits, claiming negligence, were brought against the company. Company records, could have prevented the incident and the lawsuits inevitably to years passed.

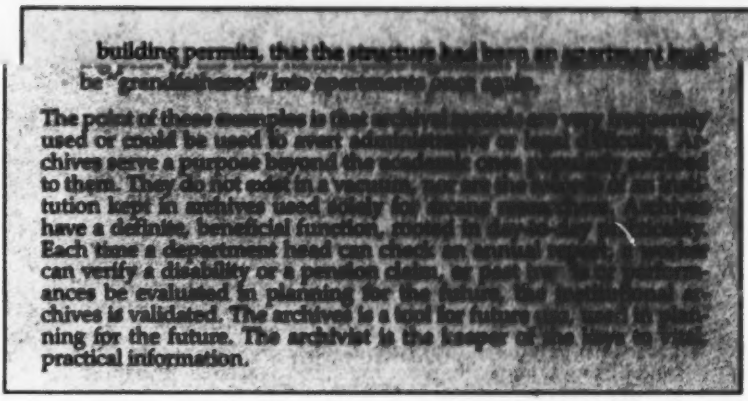
2. A major [illegible] City discovered and [illegible] gallons of [illegible] a garbage [illegible] zens' action. [illegible] diverted into other [illegible] cartons. [illegible] cords and should be available in the city's archives. [illegible] crotisk.

3. A suburban [illegible] along a road dating from colonial times which now passes through a growing housing development. If that road was a plank road, as area folklore believed, the right-of-way should be much wider. The prudent course was to go to the town archives and search the maps, tax rolls and highway records to confirm whether the old road was indeed a plank one.

4. An upstate city's aldermen in the early 1970's passed an ordinance licensing game rooms. The ordinance [illegible] several times as the number of these establishments increased. With the advent of the video arcade, more comprehensive local legislation was needed to regulate this type of business, particularly since a court case was pending pointing up inadequacies in the old legislation. Since all ordinances and proceedings of the city council are permanent and archival, retrieval of the original ordinance, and its modifications, was made from city records and incorporated in or deleted from the new regulation.

5. A citizen in a New York community was bringing suit against a neighbor over who was responsible for repairing the retaining wall between their properties. The citizen went to the city archives and with tax rolls and building permits proved the wall originally was constructed by a previous owner of the neighbor's house.

6. A developer in a New York city wanted to convert a townhouse into apartments. Under the present historic sites ordinance, this could not be done. The developer, however, by going to the city archives was able to prove with city directories, tax rolls, and


building permits, that the structure had been an apartment house be "grandfathered" into apartments once again.

The point of these examples is that archival records can very frequently used or could be used to avert administrative or legal difficulties. chives serve a purpose beyond the [illegible] to them. They do not exist in a vacuum, nor are the [illegible] tution kept in archives used solely for [illegible] have a definite, beneficial function, rooted in [illegible] Each time a department head can check an [illegible] can verify a disability or a pension claim, or [illegible] ances be evaluated in planning for the [illegible] chives is validated. The archives is a tool for future [illegible] ning for the future. The archivist is the keeper of the keys to [illegible] practical information.

F. *Duplication*. It is advisable to duplicate the most valuable archival records, both for security purposes and to encourage research use. This can be done through photocopying or other paper reproduction methods. As noted in Chapter VI, however, microfilming is probably the best method of duplication. Microfilming cuts down on wear and tear on the original records by permitting substitution of the microfilm copy for the original, provides for security for the information in the records, and makes it possible to disseminate the information relatively easily and cheaply. Microfilming of archival records that are also vital records serves still another valuable purpose.

G. *Arrangement*. Archival records should be systematically arranged to facilitate use. According to the Society of American Archivists, records "...should be arranged in accordance with basic archival principles, namely the principle of provenance and the principle of original order. That is, records of different offices of origin or from different sources should not be intermingled, and records should be retained, whenever possible, in their original organizational pattern and in their original filing arrangement in order to preserve all relationships. If the original order has been lost, documents and files of documents should be arranged or grouped in a meaningful relation to one another. Documents should be properly boxed, labeled, and stored so that they are easily maintained and readily retrieved."[4]

H. *Description*. The archival records must be adequately described so that they can be used. The Society of American Archivists advises that "the archives should design a system of finding aids

OF LOCAL GOVERNMENT ARCHIVAL RECORDS

Reprinted below are two commentaries on the "secondary" values of local government records. The first emphasizes "evidential" value; the second "informational" value.

Evidential Value.

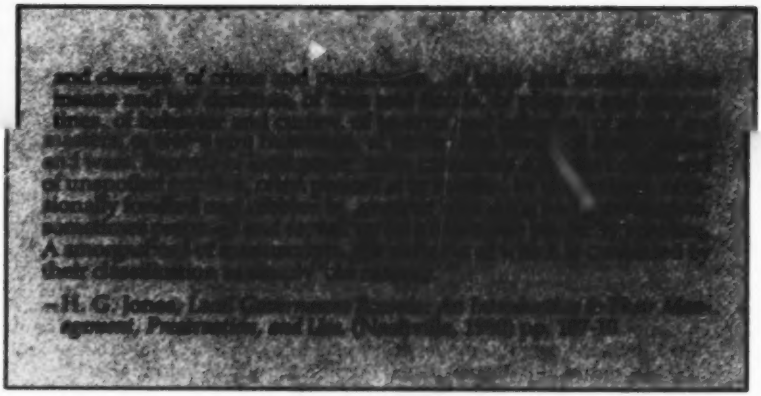
"It is natural that an archivist, as an agent of government, should be first concerned to preserve evidence of how the government was organized and how it functioned. [...] The minimum record to be kept is the record of organization and functioning. [...] But beyond this minimum values become more complex. [...] Because selection of various groups and series [...] can be done in a relatively small body of records [...] how the agency was created, how it developed, [...] what its functions, duties, and powers are, and what are the consequences of its actions.

Records containing information [...] functions, procedures, and methods of [...] and to students of [...] house of [...] give consistency [...] dent for policies [...] to public [...] similar [...] agency's [...] the accounting that [...] serves. For [...] experiences of an agency in dealing with [...] and policy matters, [...] provides the only reliable source."

–T. R. Schellenberg, *Modern Archives: Principles and Techniques* (Chicago, 1956), 160.

Informational Value.

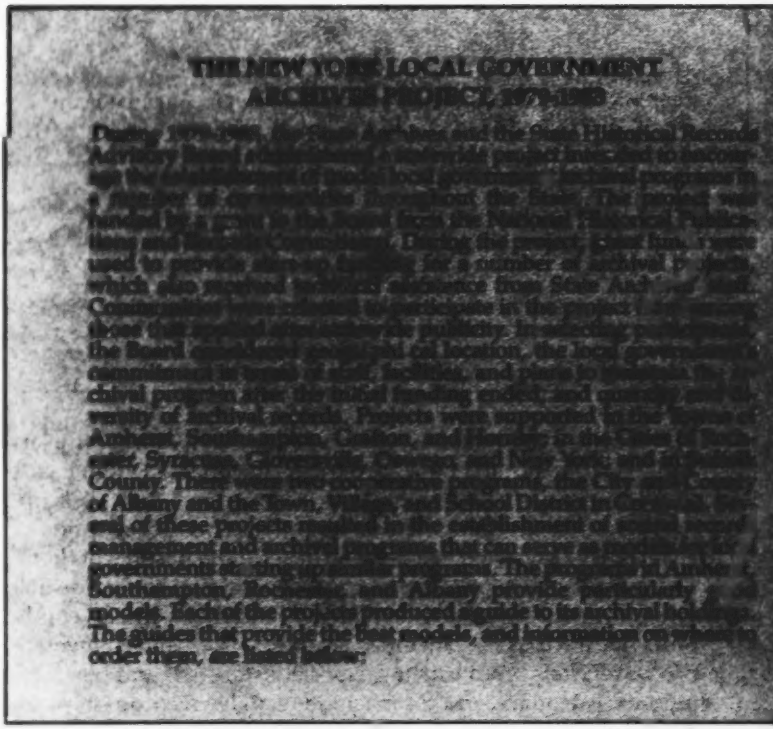
"...since the modern bureaucracy [...] cannot function without records, it is safe to assume that [...] units of local government – counties, cities, towns, villages, boroughs, parishes, [...] districts, school districts, [...] districts, [...] districts, drainage districts, and other special purpose districts – [...] records that tell something about or affect the lives of the people they serve. The records were created in connection with the day-to-day operations of public officials, but many of them – particularly those of older counties and towns – have value for purposes for which they were not created. They offer grist for the historian's mill. And what grist it is! Records of births, deaths, marriages, property ownership, settlement of estates, taxes, voting; records of ordinances and regulations, of complaints,



that provides essential information about the holdings for users and enables the archivist to retrieve materials. Finding aids should employ first the techniques of group and series description before undertaking item description; a brief description of all records is preferred to a detailed description of some of them. The level of description of records depends on their research value, the anticipated level of demand, and their physical condition. Finding aids may include, as appropriate, guides, inventories or registers, card catalogs, special lists, shelf and box lists, indexes, calendars, and for machine-readable records, software documentation."[4]

I. *Access policies and reference services.* It is essential to provide for use of archival records by government officials, by historical researchers, and by the general public. The Society of American Archivists advises that: "The archives must provide opportunity for research in the records it holds. The archives should be open for research use on a regular and stated schedule. It should provide adequate space and facilities for research use and should make its records available on equal terms of access to all users who abide by its rules and procedures. Any restrictions on access should be defined in writing and should be carefully observed."[4] Restrictions on access must conform to the provisions of the State "Freedom of Information" Law (see Ch. IV., above).

J. *Outreach and public programs.* An archival program should make a deliberate effort to "reach out" to attract the attention of potential users, including government officers, and to attract the attention



of the general public to the value and worth of the archival program. This is also a way of indirectly drawing attention to the total records management effort. According to the Society of American Archivists, "the archives should identify its various constituencies in terms of its purpose, plan and implement methods to assess the needs of these groups in relation to the resources of the institution, and devise outreach programs that will fit their needs. These programs may include workshops, conferences, training programs, courses, festivals, exhibits, publications, and similar activities, aimed at such groups as students, faculty members, scholars, administrators, researchers...records creators, or the general community."[4]

Report of 1981 Albany County Clerk's Office NHPRC Grant, by Robert W. Arnold and Neil D. Hanson. (Albany, 1982). Contact: Executive Director, Albany County Hall of Records, 27 Western Avenue, Albany, NY 12203.

Guide to the Archives of the Town of Amherst, by Dorothy Dale Pollack. (Williamsville, 1982). Contact: Amherst Town Archivist, Town Hall, 5583 Main Street, Williamsville, NY 14421.

The Cornwall Archives: Index to the Records of the Cornwall Central School District, The Village of Cornwall-on-Hudson, the Town of Cornwall, by James Oberly. (Cornwall, 1981). Contact: School District Clerk, Cornwall Central School District, 95 Academy Avenue, Cornwall, NY 12520.

Guide to the Archives, Town of Grafton, New York, by Susie Kaufman. Grafton, 1980). Contact: (Grafton Town Clerk, Town Hall, Cropseyville, NY 12052, (518) 279-9403.

Town of Hornby Archives Guide, by Judy Schoenthal and Joyce Weirath. (Hornby, 1981). Contact: Hornby Town Clerk, R.D.1, Dry Run Road, Beaver Dams, NY 14812.

Guide to Selected Archival Records: The City Clerk, Council, Mayor, and City Manager. (Rochester, 1981). Contact: Rochester City Public Access Officer, Public Information Office, City Hall, 30 Church St., Rochester, NY. 14614.

Town of Southampton Town Archives Manual, by Toby T. Papageorge. (Southampton, 1981). Contact: Town of Southampton Archivist, Southampton Town Hall, Southampton, NY 11968.

Footnotes

[1] H.G. Jones, *Local Government Records: Their Management, Preservation, and Use* (Nashville, 1980). p. 77.

[2] Theodore R. Schellenberg, *The Appraisal of Modern Public Records*, (Washington, 1956), 6-7, and *Modern Archives: Principles and Techniques* (Chicago, 1956), pp. 139-147, quoted in Maynard J. Brichford, *Archives and Manuscripts: Appraisal and Accessioning* (Chicago, 1977), p. 5.

[3] Schellenberg, *Modern Archives: Principles and Techniques*, p. 148.

[4] The material quoted here is from Society of American Archivists, *Evaluation of Archival Institutions: Services, Principles, and Guide to Self-Study* (Chicago 1982), pp. 20-22.

8 WHERE TO TURN FOR MORE HELP

Introduction. This manual provides only a brief overview of records management concepts and procedures. There are at least five places where local government officials can turn for additional help: (1) the State Archives and a few other State agencies; (2) local governments that are already operating records management programs; (3) professional organizations and associations in archives and records management; (4) local government associations; and (5) publications.

1. State Government Agencies

State Archives, State Education Department

Room 10A63 Cultural Education Center
Albany, NY 12230
(518) 474-6926

The State Archives publishes Records Retention and Disposition Schedules for local government records. The Archives is also mandated by Section 57.05 of the Consolidated Arts and Cultural Affairs Law to "examine into the condition" of local government records and to "advise and recommend" on their improved management. The Archives has issued publications on indexing and filing systems, and on protection of records. In the future, depending on available resources, the Archives hopes to issue publications, arrange for workshops, and develop a regional technical assistance system that will: (1) encourage the planning and development of comprehensive records management programs; (2) provide more extensive advice

and assistance on the identification, management, and use of archival records; (3) develop materials that demonstrate the advantages and benefits of sound records management and archival programs; and (4) encourage local governments to utilize technological advances in information storage and retrieval, particularly micrographics and automated data processing systems.

Bureau of Records Management, Office of General Services

Building no. 21
State Office Building Campus
Albany, NY 12226
(518) 457-3171

This Bureau, acting under Section 186 of the State Finance Law, oversees the disposition of State executive branch records. The Bureau can provide advice on the management and disposition of State executive branch records in local government offices.

State Office of Court Administration

Records Management Office
80 Centre Street
New York, NY 10007
(212) 587-4754

The Office of Court Administration establishes retention periods for all court records in local government offices.

Bureau of Health Statistics, Vital Records Section, Department of Health

Corning Tower Building
Empire State Plaza
Albany, NY 12237
(518) 474-3038

This Office issues regulations on the care and retention of, and access to, birth, death, and marriage records created pursuant to the Public Health Law.

Committee on Open Government

Department of State
162 Washington Avenue
Albany, NY 12231
(518) 474-2518

The Committee is responsible for overseeing the implementation of the State's Freedom of Information, Personal Privacy, and Open Meetings Laws.

Division of Local Government Services, Department of State

162 Washington Avenue
Albany, NY 12231
(518) 474-3642

This unit provides limited advice on the design and implementation of automated data processing systems.

Division of Municipal Affairs, New York State Department of Audit and Control

Alfred E. Smith State Office Building
Albany, NY 12236
(518) 474-5039

This Division prescribes a uniform system of accounts for local governments in New York State, is responsible for auditing local governments, and prescribes regulations for the disposition of cancelled obligations.

2. Local Government Records Programs

One of the best ways to learn about sound records management practices is through consultation with local governments in your area that have created records management programs or have established elements of such programs. There, local officials can provide practical advice on how to go about planning and managing programs. The State Archives in Albany often can provide the name of a local government in your area that might be visited. During 1979-1983, using funds from a federal grant, the State Archives and the

State Historical Records Advisory Board encouraged the establishment of several model archival programs throughout the State. These included the Towns of Amherst, Southampton, Grafton, and Hornby; the Cities of Rochester, Syracuse, and Gloversville; Suffolk County; and two joint programs, the City and County of Albany and the town, village, and school district in Cornwall. Of these, the programs in Amherst, Southampton, Rochester, and Albany provide particularly good examples of strong records management and archival programs.

3. Professional Associations

Several professional associations provide publications, meetings, or advisory services on records management or archival programs of interest to local government officials. Some of these are discussed below:

Association of Records Managers and Administrators (ARMA)

4200 Somerset Drive
Suite 215
Prairie Village, KA 66208

ARMA is a national professional association devoted to all aspects of records management. ARMA promotes interest and research in records management; provides a forum for the exchange of information on records management techniques and developments; and develops and issues standards in the records management field. It publishes a journal, *Records Management Quarterly*, with articles on issues and problems in the field; it issues a monthly newsletter; and it sponsors an annual conference. ARMA also has local chapters which sponsor their own meetings and hold other activities for their members, and "Industry Action Committees" (IAC's), including one for county/municipal records.

Society of American Archivists (SAA)

600 South Federal Street
Suite 504
Chicago, IL 60605

SAA is the nation's largest association of individuals and institutions interested in archival records. It promotes the development of the archival profession and the exchange of information on archival issues and problems. It has an extensive publications program which includes a quarterly journal, the *American Archivist*; a bi-monthly newsletter; a basic manual series; and other publications. SAA holds a national meeting once a year, it sponsors workshops on archival techniques, and it operates a placement service for individuals seeking employment in the archival field. SAA also has "sections" that provide individual members with a chance to meet and work with people of similar backgrounds and interests. The sections meet once a year at the annual meeting to discuss issues of concern and plan projects for the coming year; they also provide three mailings per year on matters of interest to section members. There is a section on Government Records, composed of people who have responsibility for care of local, state, and federal government records.

National Association of Government Archives and Records Administrators (NAGARA)

Executive Secretariat
New York State Archives
10A75 Cultural Education Center
Albany, NY 12230

NAGARA is a professional association open to local, state, and federal officials concerned with records management, and to anyone else interested in government records issues. It is concerned with government records management and archival issues and it also works to promote the improved management of local government records and better state advisory services for local governments. Its quarterly newsletter, the *Clearinghouse*, carries news and reports on state and local government records developments.

Association for Information and Image Management (formerly National Micrographics Association)

1100 Wayne Avenue
Silver Spring, MD 20910

This Association is devoted to the development and improvement of the microfilming industry. It issues technical publications, promotes research, publishes a quarterly *Journal of Information and Image Management* (formerly the *Journal of Micrographics*) which carries news of developments in this rapidly-changing field, and holds an annual meeting which features sessions on microfilm techniques and exhibits and displays of new microfilm equipment.

Mid-Atlantic Regional Archives Conference (MARAC)
(Contact State Archives for current mailing address.)

MARAC includes archivists from New York, New Jersey, Pennsylvania, Delaware, Maryland, Virginia, West Virginia, and the District of Columbia. It serves as a clearinghouse of information and promotes professional development in that region. A quarterly newsletter, the *Mid-Atlantic Archivist*, provides news on regional archival developments. MARAC holds two meetings each year, which often feature sessions on basic archival techniques. The MARAC "New York Caucus," which consists of New York members, sponsors special projects and assembles at each MARAC meeting to discuss New York-related issues.

Long Island Archives Conference (LIAC)
(Contact State Archives for current mailing address.)

LIAC is an organization of people with archival interests on Long Island. Through semiannual meetings, a newsletter, and other activities, it provides a forum for exchange of information and for coordination of archival affairs on Long Island.

Lake Ontario Archives Conference (LOAC)
(Contact State Archives for information on next meeting.)

LOAC is an informal association of archivists, librarians, historians, and other people interested in archives from upstate New York and southern Canada. LOAC meetings are held once a year and usually feature at least some sessions for beginning archivists.

Archivists' Roundtable of Metropolitan New York
(Contact State Archives for current mailing address.)

The Roundtable includes archivists in the New York City region who meet monthly to learn more about archival programs at institutions in the City and to discuss archival concerns and issues of interest to that area.

4. Local Government Associations

Several associations of local government officials hold annual meetings or sponsor workshops that include sessions on records management, or carry articles relating to records in their newsletters. These associations include:

New York State Association of Counties
150 State Street
Albany, NY 12207

Association of Towns of the State of New York
90 State Street
Albany, NY 12207

New York State Conference of Mayors and Other Municipal Officials
119 Washington Avenue
Albany, NY 12210

New York State School Boards Association
119 Washington Avenue
Albany, NY 12210

School Administrators Association of New York State
90 State Street
Albany, NY 12207

Supervisors' and County Legislators' Association
of the State of New York
150 State Street
Albany, NY 12207

5. Publications

Listed below are some publications that should be helpful to local government personnel interested in records management and archival administration.

State Archives' Publications

The Archives has published *Public Records and State Law: Selected Laws, Decisions, and Opinions Relating to Local Public Records* (Albany, 1980) which reprints state laws, explanatory notes, and opinions of the Attorney General and State Comptroller pertaining to custody, retention, disposition, microfilming, and protection of records. Several manuals on filing systems have been issued including: *A Basic School Filing System* (Albany, 1972), *A Filing System for Small Towns* (Albany, 1959) and *A Basic Village Filing System* (1959). Two manuals on indexing are available: *Indexing Municipal Minutes* (Albany 1981) and *Indexing School District Minutes* (Albany 1976). The Archives also issues Records Retention and Disposition Schedules covering the records of local governments. Contact the State Archives for a listing of available schedules. The Archives and the State Historical Records Advisory Board jointly issue a newsletter, *For the Record*, which is published three times a year and describes developments in local government records programs and in the Archives' services to local governments. The newsletter is distributed to all local governments. For information on the other publications, contact State Archives.

Publications on Records Management

H.G. Jones, *Local Government Records: An Introduction to Their Management, Preservation, and Use* (Nashville, 1980) is the only book that focuses exclusively on local government records management, archival programs, and the research value of local government records. It provides an excellent introduction and overview of the subject. Three sound, comprehensive books covering all aspects of records management are William Benedon, *Records Management* (Englewood Cliffs, 1969); Emmet J. Leahy and Christopher A. Cameron, *Modern Records Management* (New York, 1976); and Wilmer 0. Maedke, Mary

F. Robek, and Gerald F. Brown, *Information and Records Management* (Enrico, CA., 1981). The National Archives and Records Service published a series of *Records Management Handbooks* from 1960 to 1974, covering forms analysis, filing, information retrieval, microfilming, and automation. Many of these are still useful. Contact the National Archives and Records Service, Washington, DC 20408 for more information. The New York State Office of General Services' Bureau of Records Management, *Guide to Efficient Filing* (Albany, 1982), provides a good introduction to filing and filing systems.

Publications on Archival Techniques

Frank B. Evans, comp., *Modern Archives and Manuscripts: A Select Bibliography* (Chicago, 1975) provides an extensive review of archival literature. Except for the H.G. Jones book mentioned above, there is no publication dedicated exclusively to local government archival programs. However, the Society of American Archivists has published a helpful series of basic manuals on techniques for managing archives and manuscripts. These are: Maynard Brichford, *Appraisal and Accessioning* (Chicago, 1977); David B. Gracy II, *Arrangement and Description* (Chicago, 1977); Sue E. Holbert, *Reference and Access* (Chicago, 1977); Timothy Walch, *Security* (Chicago, 1977); John Fleckner, *Surveys* (Chicago, 1977); Gail Farr Casterline, *Exhibits* (Chicago, 1980); H. Thomas Hickerson, *An Introduction to Automated Access* (Chicago, 1981); Ralph E. Ehrenberg, *Maps and Architectural Drawings* (Chicago, 1982); Ann E. Pederson and Gail Farr Casterline, *Public Programs* (Chicago, 1982); Carolyn Hoover Sung, *Reprography* (Chicago, 1982); Mary Lynn Ritzenthaler, *Conservation* (Chicago, 1983). The Society's *Evaluation of Archival Institutions: Services, Principles, and Guide to Self-Study* (Chicago, 1982) is also helpful. For a publications list and order form, contact the Society of American Archivists at 600 South Federal Street, Suite 504, Chicago, IL 60605.

Publications on Microfilming

Bruce W. Dearstyne, "Microfilming Historical Records: An Introduction," American Association for State and Local History *Technical Leaflet* no. 96 (1977), provides a good brief introduction. Carolyn Hoover Sung's manual on *Reprography* (Chicago, 1982), published by the Society of American Archivists, and William L. Saffady, *Micrographics* (Littleton, Co., 1978) both provide good explanations of microfilm and microfilming techniques. The National Archives and Records Service's *Microfilming Records* (Washington, 1974), one volume

in their "Records Management Handbooks" series mentioned above, is particularly useful for its explanation of microfilm systems design. The Association for Information and Image Management publishes a series of standards and recommended practices on microfilming techniques, mentioned in Chapter VI above. The Association also issues a number of other useful publications on microfilm techniques. Among the most helpful are *An Introduction to Micrographics* (C101); *Glossary of Micrographics* (NMA TR-2); *An Introduction to Microform Indexing and Retrieval Systems* (C104); and *A Microform Handbook* (R015), an illustrated directory of microfilm equipment. For a listing of current publications, contact the Association at 1100 Wayne Avenue, Silver Spring, MD 20910.

Appendix I

SELECTED LAWS AND REGULATIONS PERTAINING TO LOCAL GOVERNMENT RECORDS

(This Appendix reprints some of the most important laws and regulations pertaining to the management and retention and disposition of local government records. There are, however, many other statutes and regulations that affect local government records management. Most are reprinted in the State Archives' publication, *Public Records and State Law: Selected Laws, Decisions, and Opinions Relating to Local Public Records* [Albany, 1980]. Copies of this publication are available upon request from State Archives.)

(Note: The sections of the Consolidated Arts and Cultural Affairs Law reprinted here were added to that law in 1983. Before that, they were in Sections 142, 144, 146, and 147 of the Education Law.)

FUNCTIONS OF THE STATE ARCHIVES REGARDING LOCAL GOVERNMENT RECORDS

(Consolidated Arts and Cultural Affairs Law, Section 57.05, subsection 10)

In addition it shall be the function of the state archives to examine into the condition of the records, books, pamphlets, documents, manuscripts, archives, maps, papers, photographs, microphotographs or other information storage devices regardless of physical form or characteristics kept, filed or recorded in the public offices of the counties, cities, towns, villages or other civil or political subdivisions of the State, and to advise and recommend to officials in those public offices having custody or control over the records and information storage devices hereinbefore described as to making, managing, reproducing, preserving or disposing of those records and devices in their custody or control. The recommendations of the state archives may be enforced by an order issued by a justice of the supreme court upon application of the commissioner of education, either with or without notice to the proper public officer, as such justice may require. Upon request of the chief executive of any city with a population of one million or more, which has boroughs contained therein, the commissioner of education may permit such city or borough to assume the functions mentioned in this subdivision as the responsibility of each such city or county.

DEFINITION OF PUBLIC RECORDS

(Consolidated Arts and Cultural Affairs Law, Section 57.07, subsection 1)

Definition of public records. 1. The words "public records" as used in this chapter shall, unless a contrary intention clearly appears, mean any book, paper, map, photograph, microphotograph or other information storage device regardless of physical form or characteristic which is the property of the State or of any state agency, department, division, board, bureau, commission, county, city, town, village, district or any subdivision thereof by whatever name designated in or on which any entry has been

made or is required to be made by law, or which any officer or employee of any of said bodies has received or is required to receive for filing.

SAFEGUARDING OF LOCAL GOVERNMENT RECORDS

(Consolidated Arts and Cultural Affairs Law, Section 57.09)

Safeguarding of public records. Every person who has the custody of any public record books of a county, city, town or village shall, at its expense, cause them to be properly and substantially bound. He shall have any such books which may have been left incomplete, made up and completed from the files and usual memoranda, so far as practicable.

Officers or boards in charge of the affairs of counties, cities, towns and villages shall provide and maintain fireproof rooms, vaults, safes or other fire-resisting receptacles made of noncombustible materials, of ample size for the safe-keeping of the public records in their care, and shall furnish such rooms with fittings of only noncombustible material, the cost to be a charge against such county, city, town or village. All such records shall be kept in the buildings in which they are ordinarily used, and so arranged that they can be conveniently examined and referred to. Such records may be stored in such other fire resistant and otherwise suitable place as may be approved for such purpose by the commissioner of education. When not in use they shall be kept in the vaults, safes or other fire resisting receptacles provided for them; except that they may be removed from their regular place of use or storage for the purpose of repair, restoration or necessary reproduction.

DESTRUCTION OF LOCAL GOVERNMENT RECORDS

(Consolidated Arts and Cultural Affairs Law, Section 57.11, subsection 1, 2, and 3)

Destruction of public records. 1. No officer of any county, city, town or village or other political division of the state shall destroy, sell or otherwise dispose of any public record, original or copied, or any archives, in his care or custody or under his control, and which are no longer in current use, without first having advised the commissioner of education of their nature and obtained his consent.

2. The provisions of this section shall not apply to:

a. The records of any city with a population of one million or more, and the records of any county contained therein, so long as the destruction of the records of such city or county shall be carried out in accordance with the procedure prescribed by any existing law exclusively applicable to the destruction of the records of such city or county. If any such law shall be amended by local law after the first day of July, nineteen hundred fifty-one, the provisions of this section shall not apply to the destruction of such records if the procedures therefor established by such law, as amended by local law, shall be acceptable to the commissioner of education.

b. The records of any state department, division, board, bureau, commission or other agency.

c. The records of any court.

d. Any record required to be destroyed in the manner provided by section 63.10 of the local finance law.

e. The records of any public corporation which have not been retained for the longest minimum period of time required:

(i) by rules and regulations of the commissioner of education; or

(ii) by any agency of the state so that it may properly carry out its assigned duties and responsibilities; or

(iii) because of any provision of law.

3. Notwithstanding the provision of subdivision two of this section, the commissioner of education shall have power to consent to the disposition of records of a public corporation which have not been retained for the longest minimum period of time required by rules and regulations of the commissioner of education, by any agency of the state, or because of any provision of law, provided that such records have been photographed, microphotographed, or reproduced on film, in accordance with section fifty-one-a of the general municipal law or section sixty-five-a of the public officers law.

(Public Officers Law, Section 65-b, subsections 1, 2, 3, and 4)

Sec. 65-b. Destruction of public records. 1. Any public officer of any public corporation notwithstanding the provisions of any general, special or local law, except as hereinafter provided, may destroy, sell or otherwise dispose of any or all records, papers or documents kept by him provided he:

a. advises the commissioner of education of the nature of the record; and

b. certifies to the commissioner of education that such record no longer has sufficient administrative, fiscal or legal value to warrant its continued retention, and that the disposition of such record has been authorized by resolution of the governing body of the public corporation of which he is an officer; and

c. furnishes the commissioner of education, when he so requests, with affidavits from the responsible legal and/or fiscal officer of the public corporation of which he is an officer that the record no longer has sufficient legal or fiscal value to warrant its continued retention; and

d. receives the consent of the commissioner of education to the destruction, sale or other disposition of such record.

2. The consent of the commissioner of education to the destruction, sale or other disposition of any record, paper or document of any public corporation shall be issued only in accordance with rules and regulations established by him after consultation with state departments and agencies having an interest in retaining said record for the purpose of carrying out their assigned duties and responsibilities.

3. The provisions of this section shall not apply to: the records of any city with a population of one million or more, and the records of any county contained therein, so long as the destruction of the records of such city or county shall be carried out in accordance with the procedure prescribed by any existing law exclusively applicable to the destruction of the records of such city or county. If any such law shall be amended by local law after the first day of July, nineteen hundred fifty-one, the provisions of this section shall not apply to the destruction of such records if the procedures therefor established by such law, as amended by local law, shall be acceptable to the commissioner of education.

4. The provisions of this section shall not apply to:

a. The records of any state department, division, board, bureau, commission or other agency.

b. The records of any court.

c. Any record required to be destroyed in the manner provided by section 63.10 of the local finance law.

d. The records of any public corporation which have not been retained for the longest minimum period of time requred: (1) by the federal government; or (2) by rules and regulations of the commissioner of education; or (3) by any agency of the state so that it may properly carry out its assigned duties and responsibilities; or (4) because of any provision of law.

(Part 185 Of Title 8 Of The Official Compilation Of Codes, Rules And Regulations Of The State Of New York, Regulations Of The Commissioner Of Education – Records Of Public Corporations)

Section 185.1 Definitions. As used in this Part:

a) *Public corporation* includes a municipal corporation and a district corporation.

b) (1) *Municipal corporation* includes a county, city, town, village.

(2) For the purposes of this Part only, *municipal corporation* includes a school district.

c) *District corporation* includes any territorial division of the State, other than a municipal corporation, heretofore or hereafter established by law which possesses the power to contract indebtedness and levy taxes or benefit assessments upon real estate or to require the levy of such taxes or assessments, whether or not such territorial division is expressly declared to be a body corporate and politic by the statute creating or authorizing the creation of such territorial division.

d) *Retention period* refers to the minimum period of time which must elapse before a record is eligible for disposition.

e) *Records retention and disposition schedule* refers to a list of records and their retention periods which is provided by the commissioner to a public officer of a public corporation.

f) *Record* refers to any book, paper, map, photograph, microphotograph or other information storage medium regardless of physical form or characteristic kept by a public officer of a public corporation.

g) *Disposition* refers to the disposition by destruction, sale or other means of a public record kept by a public officer of a public corporation.

h) *State agency* includes departments, divisions, boards, bureaus, commissions, authorities and other bodies assigned administrative functions of State government by the Legislature, except public benefit corporations and temporary commissions of the Legislature.

185.2 Establishing records retention periods. The commissioner will establish a retention period for the records kept by any public officer of any public corporation. When establishing records retention periods, the commissioner will take into account the longest period of time required by the Federal government; or by any State agency so that it may properly carry out its assigned duties and responsibilities; or because of any provision of law. Consideration will also be given to any administrative, legal, fiscal, research, historical or educational value of the information contained in such records.

185.3 Consultation with State agencies. Lists of proposed retention periods will be forwarded by the commissioner to State agencies for comment. A proposed retention period will become effective if no State agency notifies the commissioner in writing within 30 days that the proposed retention period interferes with that agency's assigned duties and responsibilities.

185.4 Commissioner's consent to be withheld. The consent of the commissioner to the disposition of any record kept by any public officer or any public corporation will be withheld at the request of any State agency, although said record has been kept for the longest minimum period of time normally required by the Federal government or by any State agency or because of any provision of law.

185.5 Distribution of records retention and disposition schedules. A records retention and disposition schedule indicating retention periods for records kept by a public corporation may be obtained by each county, city, town, village, school district and other public corporation upon request to the commissioner.

185.6 Disposition of records. Consent of the commissioner to the destruction, sale or other disposition of records is granted to any public officer when the following provisions have been fulfilled:

(a) records have been held a sufficient time to satisfy their retention periods as prescribed in the records retention and disposition schedule;

(b) certification has been filed with the commissioner that:

(1) such records no longer have sufficient administrative, fiscal or legal value to warrant their continued retention;

(2) the governing body by resolution has authorized disposition of records by adopting the retention periods set forth in the appropriate records retention and disposition schedule.

(c) records of common school district delivered to a district superintendent under provisions of subdivision (m) of section 170.1 of this Chapter may be destroyed by the district superintendent after the established retention period set forth in a records retention and disposition schedule for that purpose.

185.7 Records not subject to disposition. Pursuant to section 65-b of the Public Officers Law the commissioner will not consent to the disposition of records containing information of any administrative, legal, fiscal, research, historical or educational value which warrants their permanent retention. These shall include, but not be limited to, the following:

(a) incorporation and dissolution certificates of municipal and district corporations;

(b) official minutes of the legislative body of municipal and district corporations and the boards and agencies thereof;

(c) original official copies of local laws, ordinances, rules and regulations of municipal and district corporations and the boards and agencies thereof;

(d) oath books and registers of official signatures of the public officers of municipal and district corporations and the boards and agencies thereof;

(e) official copy of annual or special reports filed with the governing body of municipal and district corporations by officers, boards and agencies thereof;

(f) documents recording the official acquisition, sale, transfer, or mortgage of public or private real property;

(g) official maps, surveys and reports on boundaries indicating the legal location of public or private real property;

(h) official birth, death and marriage records filed with municipal corporations;

(i) warrant copy of tax roll of municipal and district corporations except school districts.

MICROFILMING OF LOCAL GOVERNMENT RECORDS AND DISPOSITION OF RECORDS THAT HAVE BEEN MICROFILMED

(General Municipal Law, Section 51-a)

Sec. 51-a. Reproduction of records on films and destruction of records so reproduced.

1. The head of any department, commission or board of a municipal corpora tion may cause any or all records kept by him or it, to be photographed, microphotographed or reproduced on film. Such photographic film shall be of durable material and the device used to reproduce such records on such film shall be one which accurately reproduces the original record in all details.

2. Such photographic film shall be deemed to be an original record for all purposes, including introduction in evidence in all courts or administrative agencies. A transcript, exemplification or certified copy thereof shall, for all purposes recited herein, be deemed to be a transcript, exemplification, or certified copy of the original.

3. Whenever such photographs or microphotographs or reproductions on films shall be placed in conveniently accessible files and provisions made for preserving, examining and using the same, the said head of a department, commission or board may certify those facts to the head of such municipal corporation who shall have the power to authorize the destruction, sale, or other disposition of such records or papers, provided the consent of the commissioner of education is obtained pursuant to section one hundred forty-seven of the education law.

(Public Officers Law, Section 65-a)

Sec. 65-a. Public records; reproduction of records on films and destruction thereof.

1. Any public officer of the state may cause any or all records, papers or documents kept by him to be photographed, microphotographed or reproduced on film. Such photographic film shall be of durable material and the device used to reproduce such records on such film shall be one which accurately reproduces the original thereof in all details.

2. Such photographs, microphotographs or photographic film shall be deemed to be an original record for all purposes, including introduction in evidence in all courts or administrative agencies. A transcript, exemplification or certified copy thereof shall, for all purposes recited herein, be deemed to be a transcript, exemplification, or certified copy of the original.

3. Whenever such photographs, microphotographs or reproductions on film shall be placed in conveniently accessible files and provisions made for preserving, examining and using the same, any such public officer may certify those facts to the head of the department, commission or board involved who shall have the power to authorize the destruction, sale to a historical, educational or scientific organization or municipal corporation, or other disposition of such records, papers or documents, provided the

consent of the commissioner of education is obtained pursuant to section one hundred forty-seven of the education law.

(Consolidated Arts and Cultural Affairs Law, Section 57.11, subsection 3)

3. Notwithstanding the provision of subdivision two of this section, the commissioner of education shall have power to consent to the disposition of records of a public corporation which have not been retained for the longest minimum period of time required by rules and regulations of the commissioner of education, by any agency of the State, or because of any provision of law, provided that such records have been photographed, microphotographed, or reproduced on film, in accordance with section fifty-one-a of the general municipal law or section sixty-five-a of the public officers law.

Appendix II

EXPLANATION OF TERMS USED IN THIS MANUAL

(This appendix presents an explanation of some of the key terms used in this manual that may not be familiar to all readers. For further explanation of these terms, and definitions of other archival terms, see William L. Rofes, ed., "A Basic Glossary for Archivists, Manuscript Curators, and Records Managers," *American Archivist*, July 1984, pp. 415-433; also reprinted separately and available from the Society of American Archivists.)

Archives (or "archival records"). Those records of local government that are worthy of permanent preservation and special administration because of the importance of the information they contain for continuing administrative, legal, or fiscal purposes, or for historical or other research.

Computer Output Microfilm (COM). Microfilm created by converting computer-generated data into human-readable form by recording it directly onto microfilm.

Disposition. The removal of records from local government offices or from an inactive records storage center and (for records that have passed their minimum legal retention periods and are no longer needed for government business) their destruction or (for archival records) transfer to the local government's archival facility for permanent retention.

Filing system. A method of organizing records by placing them in predetermined locations according to an overall plan of classification.

"Freedom of Information" Law. Public Officers Law, Sections 84-90, which governs the public's right of access to records of State and local government.

Inactive records. Records that are no longer needed on a frequent basis. One informal rule is that records referred to less than once a month per file drawer are considered to be inactive.

Inventory. The process of locating, identifying, and describing in detail the records of a local government.

Machine-readable records. Information stored on cards, tapes, discs or other media that can be processed by computer.

Microfilming. The photographic process of creating miniaturized copies of records on film.

Obsolete records. Records that are older than the legal minimum retention period indicated on State Archives' Records Retention and Disposition Schedules and are no longer needed for administrative, fiscal, legal, or other purposes.

Records. Section 57.07 of the Consolidated Arts and Cultural Affairs Law defines a "public record" as: "any book, paper, map, photograph, microphotograph, or other information storage device regardless of physical form or characteristic which is the property of the state or of any state agency, department, division, board, bureau, commission, county, city, town, village, district, or any subdivision thereof, by whatever name designated in or on which any entry has been made or is required to be

made by law, or which any officer or employee of any of said bodies has received or is required to receive for filing."

Records center. A facility, sometimes specially designed and constructed, for the low-cost and efficient storage of and furnishing of reference service on, inactive records pending their ultimate destruction or transfer to an archival facility.

Records management. The process of systematic creation, organization, maintenance, use, and periodic legal disposition of records.

Records Retention and Disposition Schedule. A published listing, issued by the State Archives, that indicates the legal minimum retention periods for local government records.

Records series. File units or documents arranged in accordance with a filing system or maintained as a unit because they relate to a particular subject or function, result from the same activity, have a particular form, or because of some other relationship arising out of their creation, receipt, or use.

Vital records. Those records that are essential to the continuing operation of local government. They are the records that would be required to resume and continue the operations of the government after a major disaster, such as a fire or flood, to protect the legal and financial interests of the government and to preserve the rights of the people. (Note: this term should not be confused with "vital statistics," which are records of births and deaths.)

Appendix III

FINDINGS AND RECOMMENDATIONS FROM *TOWARD A USABLE PAST*

This Appendix contains the list of all Findings and Recommendations, and text of Findings and Recommendations pertaining to local government records, from the New York State Historical Records Advisory Board's 1984 report to Governor Cuomo, *Toward a Usable Past: Historical Records in the Empire State* (Albany, 1984), pp. 11-14 and 43-51.

LIST OF FINDINGS AND RECOMMENDATIONS

The Findings and Recommendations of the New York State Historical Records Advisory Board cover the four topics of its Assessment and Reporting Project: State Government Records, Local Government Records, Historical Records Repositories, and Common Problems/Coordinated Solutions. The Findings and Recommendations summarized here are explained in full in Section VI of the report, pp. 33-70.

A. *State Government Records*

Findings

1. Records management in New York State government is weak or non- existent; without sound records management programs, an adequate archival program is impossible.
2. The State Archives program is administered along sound lines but is underdeveloped.

Recommendations

1. A comprehensive records management program should be developed for state government records.
2. A State Records Management Council, similar to those in several other states, should be established by statute to oversee and provide direction for all aspects of the State's records management program.
3. The legal authority of the State Archives should be clarified and strengthened in several critical areas.
4. The State Archives should be given additional resources in order to address urgent priorities and develop several critical program functions.
5. The State Archives' facilities should be improved and expanded.

B. *Local Government Records*

Findings

1. Most local government officials do not recognize the potential importance of their records as informational and cultural resources and have not developed programs for their sound management.
2. There is insufficient public interest in and understanding of local government records issues.

3. State court records in local government custody are a pressing problem in need of immediate attention.
4. State Archives lacks sufficient staff and other resources to carry out its local government records responsibilities.
5. The State Archives' records retention and disposition procedures are inadequate.
6. The State Archives' records management advisory services are not meeting the records management needs of New York's local governments.
7. Insufficient attention is being given to archival records by both local governments and by the State Archives.
8. Statutes governing access to sensitive local government records are inconsistent.

Recommendations

1. Responsibility for sound management of local government records should be clearly defined.
2. The State Archives should be given additional resources in order to develop a regional technical assistance system and to improve overall advisory services to local governments.
3. State records advisory services should emphasize archival records.
4. State records management advice should focus on program planning and management rather than on individual records problems.
5. State oversight of records retention and disposition should be changed to give more authority and responsibility to local officials and to simplify disposition procedures.
6. Programs should be developed to promote the microfilming of local government archival records.
7. Special, immediate attention should be given to developing management and archival programs for court records.
8. The Commissioner of Education should create an ongoing advisory committee to counsel the Department and the State Archives on their local records services.
9. Researchers' right of access to sensitive local government records should be clarified.

C. *Non-Government Historical Records*

Findings

1. The collection of historical records in New York is unsystematic, uncoordinated, and incomplete.
2. Most historical records programs are underdeveloped and need to be strengthened to carry out essential archival functions.

Recommendations

1. Coordinated documentation strategies should be developed to ensure that adequate records are preserved and soundly administered in all important subjects and all geographical regions.
2. Advisory services should be provided to historical records programs on a regional basis.

D. *Common Problems/Coordinated Solutions*

Findings

1. Public interest in historical records is increasing but the public does not yet have sufficient appreciation of the importance of historical records programs.
2. There is no established and accepted archival leadership in New York State.
3. Despite notable exceptions, historical records programs overall in New York operate independently and in isolation from each other.
4. There are few systematic, accessible programs for training to meet historical records program needs.
5. Few historical records programs have developed sound approaches to the problem of preservation of their records.
6. Developments in information technology pose unprecedented opportunities and challenges to historical records programs.
7. Compilation of a statewide listing of historical records is assisting the management of historical records and stimulating wider research in the records; its continuation is crucial to improved access and program development.
8. Historical records are underutilized, to the detriment of society, present and future.
9. The National Historical Publications and Records Commission's records grant program has strengthened many historical records programs in New York; its effectiveness has helped to demonstrate the need for a State-based grant-in-aid program.

Recommendations

1. Long-term goals and priorities should be established for meeting historical records needs throughout the state.
2. More cooperation and communication must be developed among historical records programs.
3. Organizations and associations concerned with historical records should act in concert to promote historical records programs.
4. Public information and educational programs should be developed by historical records programs throughout the state.
5. More varied and significant use of historical records should be encouraged.
6. The statewide survey of historical records, now in progress, must be completed for the rest of the state.
7. A statewide strategy should be developed to provide professional development opportunities for personnel who have charge of historical records.
8. A statewide strategy should be developed to deal with historical records preservation.
9. The National Historical Publications and Records Commission's records grant program should be continued and expanded.
10. State grant funds should be allocated to support special historical records projects.
11. A separate effort should be made to identify and encourage private-sector funding for historical records projects.
12. The State Historical Records Advisory Board must exercise strong statewide leadership for the improvement of historical records programs in New York State.

TEXT OF FINDINGS AND RECOMMENDATIONS PERTAINING TO LOCAL GOVERNMENT RECORDS

Findings

1. *Most local government officials do not recognize the potential importance of their records as informational and cultural resources and have not developed programs for their sound management.* Most local officials desire to manage their records in the most efficient and economical manner possible. Most of them, however, begin their official duties without the benefit of any training in records management or archival techniques. The everyday pressures of office leave little time to devote to records problems, and limitations on space, staff, and other resources discourage sound records management practices. Moreover, there is insufficient recognition among government officials of the role of records as information carriers central to the functioning of government, and of the value of some of the records for long-term historical and other research. Few governments have developed a comprehensive program of records management--the process of systematic creation, organization, maintenance, use, and periodic legal disposition of records. As a result, public resources are being wasted by the creation of unnecessary records, by unwarranted duplication, by inefficient filing and management practices, and by retention and storage of records that are no longer needed for government business or any research purposes. In addition, poor records management leads to destruction of valuable records needed for efficient government and for important historical research and analysis of government programs. Public business is hindered because needed records are not readily available to either the government or its citizens.

2. *There is insufficient public interest in and understanding of local government records issues.* One potential force for improving local govern ment records administration is public interest to draw attention to records conditions, to advocate new programs to improve them, and obtain more resources for these programs. Especially important are associations of local government officials (e.g., the Association of Towns of the State of New York, the New York State Association of Counties, the Conference of Mayors and other Municipal Officials, and the New York State School Boards Association). These groups give intense attention to other local government issues but have shown little active interest in records questions beyond scheduling sessions on records management techniques at their workshops and meetings. This lack of attention mirrors the disinterest in records issues shown by national organizations such as the National Association of Counties and the National League of Cities. Moreover, state agencies such as the Departments of State, Audit and Control, and Social Services, which regulate or assist local governments in many program areas, have shown only limited interest in issues relating to the records generated by these program activities. Genealogists, educators, journalists, historical researchers, and others who use local government records in increasing numbers, have also not organized effectively to act as critics and as advocates for the improved management of local records. These outside groups and agencies could be a major force in educating the general public about the cost effectiveness of good records management as well as the cultural and research value of records. Furthermore, the general public, although concerned about economical government administration and accountability, seems unaware of the importance of government records and the advantages of their sound management.

3. *State court records in local government custody are a pressing problem in need of immediate attention.* Court records, particularly those in the custody of County Clerks (who also serve as clerks of the court), constitute a serious storage and management problem, for several reasons: (a) their overwhelming volume makes for high storage expense; (b) their volume continues to grow at a rapid rate because of the continuing increase in litigation and the absence of records management guidelines; (c) their legal nature and the information they contain often present complex confidentiality and access issues; (d) their status is unclear in that they appear to be regarded as state rather than local government records under the Unified Court Act, even though no state resources have been made available for their storage or management; (e) the retention and disposition guidelines issued by the Office of Court Administration are inadequate, unclear, and do not take archival considerations into account; and (f) adequate archival appraisal criteria and sampling procedures have not been developed for these records.

4. *State Archives lacks sufficient staff and other resources to carry out its local government records responsibilities.* At the time the present report was prepared, the Archives' Local Records Section consisted of three professional staff to provide the records retention and disposition schedules and the advisory services in records management and archival administration that are needed by New York's thousands of local governments. Three additional positions in the Section, including that of the Section head, had been vacant for over a year. Moreover, under current State Civil Service procedures, personnel in that Section, who have the official title of Public Records Analyst, must be selected from the civil service list used for entry into all non-specialized professional state government positions. This has meant that such personnel seldom have appropriate background or training in records management or archives. This lack of sufficient, qualified staff and other resources contributes to the shortcomings in the Archives local records program described in Findings 5, 6, and 7 immediately below.

5. *The State Archives' records retention and disposition procedures are inadequate.* Since 1911, all local governments except New York City have had to seek the consent of the Commissioner of Education before disposing of their records. Supervision over records retention and disposition has been carried out by a series of offices within the State Education Department, and is currently handled by the State Archives. The Archives issues numerous records retention and disposition schedules for each type of local government in the state. These detailed schedules—some have several hundred items—are not fully meeting the program's objectives of encouraging the disposition of obsolete records and ensuring the retention of those with continuing value. It is apparent that the scheduling system has several serious deficiencies: (a) In preparing schedules and establishing legal minimum retention periods, the Archives does not systematically ascertain and take into account the views of local government officials. (b) Preparation of each schedule requires such a great amount of State Archives' staff time that schedules are issued and updated too infrequently. (c) Many local officials, particularly those who have recently taken office, are unaware of the existence of either the schedules or of the laws that underlie them. (d) Local officials believe the schedules are too detailed and cumbersome, and they find it difficult to match up descriptions on the schedules with the records in their offices. (e) The schedules usually do not form the basis for continuing disposition of records once the minimum legal retention periods have been met. They are ordinarily consulted only when local officials wish to dispose of records that have become a storage problem.

6. *The State Archives records management advisory services are not meeting the records management needs of New York's local governments.* State Education Department oversight of local government records has given increasing emphasis to records management questions during the past several decades. The current program, however, is not meeting records management needs. Several drawbacks are apparent: (a) The program's publications and field presentations have emphasized filing systems, indexing, and inactive records storage methods. The program has failed to develop adequate guidance on newer approaches to information management, particularly microfilming systems and automated data-processing systems. (b) Most of the program's field work has been carried out on a reactive basis, responding to requests from specific local governments or individual officers within those governments, and visiting them to offer advice on particular problems. This well-intentioned attempt to be helpful has diverted the Archives from providing training and advice in a more efficient, collective way (e.g., through workshops, audio-visual presentations, and an integrated system of publica tions). It has also promoted a focus on specific, isolated problems rather than on a more comprehensive approach to records management, and it has depleted Archives staff resources. (c) The program has attempted to enforce rigid fire protection requirements rather than taking a more flexible approach stressing the need for a vital records program and the preservation and protection of archival records.

7. *Insufficient attention is being given to archival records by both local governments and by the State Archives.* Archival records are those that have permanent or long-range value because of their importance as sources for research (by the government or by others), because the records are vital to the future operation of the government, or because they protect the rights and privileges of its citizens. Most local government officials sense that some of their records may be important for future research, but few have developed a systematic approach to selection and preservation of archival records. Officially appointed local government Historians have a vague legal responsibility to inspect local government records and to collect historical sources, but their exact responsibilities have never been clearly defined. Consequently, their work sometimes brings them into conflict with Clerks and other local officials who have official responsibility for the custody of records.

The State Education Department's local records program has given insufficient attention to archival records, even though the original justification for establishing of the state program in 1911 was to ensure the protection of local government records for historical research. As noted above, the program's focus moved steadily away from that initial goal toward broader records management problems. But the program has done little to promote a general awareness among the public, or among local government officials, of the value and importance of archival records. It has not developed guidelines for identifying such records, nor promulgated a list of such records, nor issued publications on preserving, managing, and makingries as having "archival value," but have not explained that term nor advised local officials on how to deal with such records.

The only significant exception to this pattern was the Local Government Archives Program, operated jointly during 1979-1983 by the State Archives' Local Records Section. It led to the establishment of model archival programs, introduced several hundred local officials to records management and archival techniques, and will conclude

with publication of a manual on records administration. The program's chief contribution, however, was to reveal the limited effect that State Archives records management services have had, the difficulties that local officials experience in trying to use its records schedules and, perhaps most important, the need for a clear State Archives policy toward archival records in local government offices.

8. *Statutes governing access to sensitive local government records are inconsistent.* Researchers seeking access to sensitive local government records such as vital records, social services case files, and police and court records, face an array of legal restrictions that are often difficult to interpret and that are not consistently applied by local government officials. Access to vital statistics is governed by restrictive provisions of the State Public Health Law, amplified by regulations of the Commissioner of Health. These regulations, in turn, are subject to interpretation by local Registrars of Vital Statistics. The State Health Department maintains duplicate copies of these records at its office in Albany, but researchers find it difficult to use these records because of access restrictions, high search and copying fees, and very limited availability of indexes to the records. This system frustrates researchers and has attracted considerable criticism from genealogists, local government historians, and other researchers who need the information in these records. Other special statutes govern access to social services, police, judicial, and other sensitive records.

The state also has a comprehensive Freedom of Information Law that applies to all records not specifically regulated by other statutes. This law, which provides that records are to be considered accessible unless they fall into certain specified categories of deniability, has generally operated to open records to researchers. However, the Law does not have any special provisions for historical research, and the Committee on Open Government which administers the Law does not include any representatives from archival or research groups.

Recommendations

1. *Responsibility for the sound management of local government records should be clearly defined.* Associations of local government officials, the State Archives and other state agencies that deal with local governments, and other groups and individuals interested in local government records, should work together to clarify the responsibilities of local government officials and state government agencies for the sound management of local government records. The following steps should be taken:

A. The Public Officers' Law should be amended to clearly define local government officials' responsibility for economical and efficient creation and management of their records.

B. Where existing statutes do not already adequately spell out responsibility for custody of records, the laws should be amended to require the chief executive officer of each unit of government to appoint a records officer to be responsible for records management and archival programming in compliance with state statutes and regulations.

C. The various laws pertaining to the responsibilities of the Commissioner of Education and the State Archives should be amended to give the State Archives authority to carry out the advisory services outlined in the Recommendations below.

2. *The State Archives should be given additional resources in order to develop a regional technical assistance system and to improve overall advisory services to local governments.* Existing vacancies on the Archives' Local Records staff must be filled if the program is to function in even a minimally acceptable way. The State Education Department, the Division of the Budget, and the Legislature must allocate additional resources for the Archives to provide better services to local governments, as outlined in the Recommendations below. The Archives should develop a regional approach for working with local governments, preferably by assigning field staff to an existing regional service system such as the Reference and Research Library Resources Systems ("3R's"), which have already proven effective in coordinating services and promoting networking arrangements among the libraries of the state. Other service centers that warrant such consideration include the State University of New York system and the regional historical services agencies. The expansion of these systems to include services to local governments should be carried out in conjunction with the development of services to other parts of the state's historical records repository community, as discussed in Areas C and D of this report, and in consultation with the Department of State and other state agencies that provide assistance to local governments.

A regional approach would permit delivery of services by personnel who, while carrying out State Archives policies, would be more aware of and responsive to local needs than personnel based in Albany. The field archivists should concentrate on assisting records officers in local governments that are carrying out the following activities: (a) establishing archival programs; (b) planning or initiating comprehensive records management programs; (c) developing programs that can serve as models for others to follow; (d) addressing significant records management or archival issues in an experimental way; (e) developing cooperative programs; or (f) developing automated data-processing techniques or microfilming as part of comprehensive records management systems.

As this regional system is developing, the Archives should also develop complementary services from its office in Albany, including: (a) publications geared to records management and archival needs; (b) audio-visual presentations that can be loaned to local officials; and (c) workshops on records management and archival techniques, possibly offered on a regional basis in collaboration with field-based personnel.

3. *State records advisory services should emphasize archival records.* The top priority of State Archives' Albany-based and regional advisory services should be to provide advice and assistance on the identification, management, and use of archival records. Toward this end, the Archives should consult with local government records custodians, representatives from historical and other research groups, academic historians, and other users of archival records to develop a program that includes: (a) workshops, publications, and audio-visual and other presentations that explain to the general public and to local officials the need for archival programming, that introduce archival techniques, and that make suggestions for broader research use of archival records; (b) guidance and assistance in establishing and operating local government archival programs; (c) a list of records for each type of government that have archival value and that require retention either of the original or of microfilm copies (see Recommendation No. 5-F, below); (d) a regulation forbidding the destruction of any record more than 75 years old without the explicit approval of the State Archives; (e) guidelines

and minimum storage, care, and access conditions for the transfer of local government archival records to libraries, historical agencies, and other non-government repositories; (f) in cooperation with the Division of Historical and Anthropological Services in the State Museum, clarification of the records functions of officially appointed local government historians, to include their acting as advocates for archival programs and for research use of records, but to exclude collection of records; and (g) plans for creating and maintaining a data base of information on archival records in local governments.

4. *State records management advice should focus on program planning and management rather than on individual records problems.* Archives advisory services – through publications, presentations, workshops, and field- based personnel – should place special emphasis on the development of comprehensive records management programs integrated with archival programs. The Archives should especially stress: (a) Program justification – the Archives should emphasize the advantages of sound records management programs in promoting efficient and effective governmental administration and the benefits of well-run archival programs in making important records available for research use by government itself and by historical and other researchers. (b) Advocacy – the Archives should develop materials and presentations to enable local government officials and the interested public to effectively present to decision makers in local government the case for sound records management and archival programs. (c) Planning – the Archives should stress the need for thorough planning prior to initiation of any records program, and should explain the planning process. (d) Comprehensive program development – an essential message should be the need for local governments to develop comprehensive records programs rather than piecemeal solutions to discrete records problems. (e) Adoption of technological advances – the Archives should take the lead in encouraging local governments to utilize technological advances in information storage and retrieval, particularly micrographics and automated data-processing systems.

5. *State oversight of records retention and disposition should be changed to give more authority and responsibility to local officials and to simplify disposition procedures.* An essential companion piece to Recommendations Nos. 3 and 4, above, is a new approach to records retention and disposition. The existing system of records schedules should gradually be phased out in favor of a more workable approach that gives more authority and responsibility to local governments. A revised system should include the following elements:

A. State Archives advisory services should explain the rationale behind determining minimum retention periods for local government records, describe the factors that should be taken into account in determining such retention periods, and carefully relate records retention and disposition to other aspects of records management.

B. State Archives should develop general schedules covering records common to many local governments in the state. These and other schedules should be developed in close consultation with local government officials, should be clear and easy to use, and should be published in easily updatable, loose-leaf format.

C. For certain specialized areas, e.g., mental health offices, social services departments, and highway offices, the Archives should publish schedules with broad,

generic record descriptions that local government officials can readily apply to their records.

D. State agencies should be required to assist the State Archives' records scheduling function by furnishing the Archives with copies of rules, regulations, directives, and other materials that affect the creation, retention, or disposition of local government records.

E. For records not covered by either the general or specialized schedules, local government records officers should be given authority to propose minimum retention periods, and to secure review and approval from a local government records advisory committee consisting of the chief administrative officer, the chief fiscal officer, the counsel, the Clerk, and the Historian, or their designees. Records officers would then submit records descriptions and proposed retention periods to the State Archives for review and approval. To further facilitate this process, the Archives would maintain a file of approved schedules that could be made available upon request to any local government official.

F. The Archives should publish, for each type of government, a list of records that have been determined to have archival value, and should forbid destruction of these records (see Recommendation No. 3-c, above).

6. *Programs should be developed to promote the microfilming of local government archival records.* Microfilming will ensure the preservation of the information in such records and make it possible to disseminate this informa tion through loan or reproduction of the film. To encourage more microfilming, the Archives should:

A. Through its field services, publications, and other advisory services, actively promote the advantage of microfilming archival records.

B. Develop a regulation that archival records filmed with public funds must follow the generally accepted standards of the National Micrographics Association (now called the Association for Information and Image Management) and the American National Standards Institute, and issue materials explaining these standards and guidelines for their achievement.

C. Require deposit in the State Archives of one copy of all local government archival records microfilm, provide secure storage for this film, and make copies of the film available to researchers in the State Archives' research room and via interlibrary loan.

7. *Special, immediate attention should be given to developing management and archival programs for court records.* The Court of Appeals, in cooperation with the Office of Court Administration and the State Archives, should appoint a special Judicial Records Study Committee to examine the administration of the records of the state's court system (see Recommendation No. 1-F in Area A, above). In making its study and report, the Committee should give special attention to the issue of the financial burden on local governments in storing and caring for court records. Resources should be provided for the Court to hire a records management/archives specialist to coordinate records activities. Schedules of records disposition should be developed as soon as possible for all court records generally administered by local governments. The schedules should identify archival records and provide that such records may not be disposed of without consent of the State Archives.

8. *The Commissioner of Education should create an ongoing advisory committee to counsel the Department and the State Archives on their local records services.* The interest and cooperation of local officials can be increased and the schedules and advisory services developed by State Archives can be improved through ongoing dialogue with an advisory group appointed by the Commissioner or the State Archivist. This advisory body should consist primarily of local officials from the various types of local governments but might also include archivists, records managers and experts in technical areas important to local records work. The members of the advisory body should provide advice and seek to provide liaison to the local records community, including the associations of local government officials.

9. *Researchers' right of access to sensitive local government records should be clarified.* The issue of access should be addressed in three ways: (a) The Public Health Law and other statutes governing access should be amended to eliminate all access restrictions on local government records more than 75 years old. (b) The State Archives, after consultation with local government officials and researcher groups, should develop guidelines for management of and access to sensitive records less than 75 years old. (c) The Freedom of Information Act should be amended to add the State Archivist as a member of the Committee on Open Government. (See Recommendation Nos. 1-G and 3-E in Area A, above.)